

UNITED STATES DISTRICT COURT

for the  
Eastern District of Wisconsin

In the Matter of the Search of:

4 Facebook Accounts, more fully described in Attachment A

Case No. 19-M-095

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

See Attachment A

located in the Eastern District of Wisconsin, there is now concealed:

See Attachment B

The basis for the search under Fed. R. Crim P. 41(c) is:

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to violations of: Title 18 U.S.C § 922(a)(1)(A), § 922(d), § 554, 922(a)(1), § 924(b), § 922(a)(9), § 924(h), § 924(g), § 371 and 22 U.S.C. § 2778(b)(2)(c)

The application is based on these facts: See attached affidavit.

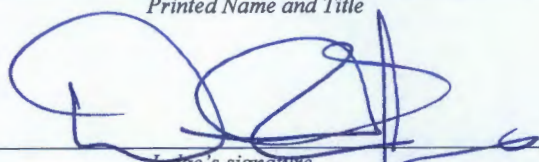
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
Applicant's signature

Special Agent Richard Connors III, ATF  
Printed Name and Title

Sworn to before me and signed in my presence:

Date: April 26, 2019

  
Judge's signature

City and State: Milwaukee, Wisconsin

Honorable David E. Jones

U.S. Magistrate Judge



AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT

I, RICHARD CONNORS, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a search warrant for information associated with a certain Facebook user IDs that are stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the user ID.

2. I am employed as a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") assigned to the Milwaukee Field Office since October of 2015. I have been employed as a full time law enforcement officer for approximately three years. I have received training at the Federal Law Enforcement Training Center in Glynco, GA. I attended the Criminal Investigator Training Program, as well as ATF's Special Agent Training Program. I have received training in the investigation of unlawful possession of firearms, the unlawful transfer of firearms, and the unlawful dealing in firearms without a dealers' license. Prior to becoming a Special Agent with the ATF, I received two (2) bachelor's degrees from Northern Illinois University in the fields of Sociology and International Relations.



I have received a Master's degree from Northern Illinois University in the field of American Government.

3. I have received training in the investigation of firearm and drug trafficking. Based on my training, experience, and participation in firearm trafficking investigations, I know and/or have observed the following:

- a. I have utilized informants to investigate firearm and drug trafficking. Through informant interviews and debriefings of individuals involved in those offenses, I have learned about the manner in which individuals and organizations distribute these items in Wisconsin and elsewhere;
- b. I have also relied on informants to obtain firearms (as opposed to licensed gun dealers) and controlled substances from individuals on the streets, known as a controlled purchase;
- c. I have experience conducting street surveillance of individuals engaged in firearm and drug trafficking. I have participated in the execution of numerous search warrants where drugs, firearms, ammunition, and magazines have been seized;
- d. I am familiar with the language utilized over the telephone to discuss firearm and drug trafficking, and know that the language is often limited, guarded, and coded;
- e. I know that firearm and drug traffickers often use electronic equipment to conduct these operations;

- f. I know that drug traffickers commonly have in their possession, and at their residences and other locations where they exercise dominion and control, firearms, ammunition, and records or receipts pertaining to such;
- g. I know that firearm and drug traffickers often put their telephones in nominee names to distance themselves from telephones that are utilized to facilitate these and related offenses; and
- h. I know that firearm and drug traffickers often use proceeds to purchase assets such as vehicles, property, jewelry, and narcotics. I also know that firearm and drug traffickers often use nominees to purchase and/or title these assets to avoid scrutiny from law enforcement officials. I also know what firearm and drug traffickers may keep photographs of these items on electronic devices.

4. I have participated in multiple firearm and drug trafficking investigations that involved the seizure of computers, cellular phones, cameras, and other digital storage devices, and the subsequent analysis of electronic data stored within these computers, cellular phones, cameras, and other digital storage devices. In many occasions, this electronic data has provided evidence of the crimes being investigated and corroborated information already known or suspected by law enforcement.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other investigators and witnesses. This affidavit is intended to show merely that there is sufficient probable



cause for the requested warrant and does not set forth all of my knowledge about this matter.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C § 922(a)(1)(A) (engaging in a firearms business without a license), § 922(d) (transferring a firearm to a prohibited person), and 18 U.S.C § 554 (smuggling good from the United States), 18 U.S.C. § 922(a)(1) (false statement to a material fact to FFL), 18 U.S.C. § 924(b) (interstate/foreign shipment for felony purpose), 18 U.S.C. § 922(a)(9) (non-resident/non FFL received firearms), 18 U.S.C. § 924(h) (transfer firearm to be used in drug trafficking crime), 18 U.S.C. § 924(g) (interstate travel with intent to commit drug trafficking crime), 22 U.S.C. § 2778(b)(2)(c) (illegal export of munitions), and 18 U.S.C. § 371 (conspiracy).

### JURISDICTION

7. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

### LOCATIONS TO BE SEARCHED

#### Facebook Accounts

- <https://www.facebook.com/jesus.cisneroshernandez.528> , Facebook ID: 100011433766434, username Jesus Cisneros Hernandez
- <https://www.facebook.com/l.y.rmrz> , Facebook ID: 100001107718926, username Laura Yahaira
- <https://www.facebook.com/boris.trgovcevic>, Facebook ID: 1231635895, username Boris Trgovcevic

- <https://www.facebook.com/boris.trgovcevic.7>, Facebook ID: 100005774984427, username Boris Trg

#### PROBABLE CAUSE

8. Mexican law enforcement agents have been conducting an investigation into the New Generation Jalisco Cartel (NGJC). Based on information shared between federal law enforcement agencies, it is known that this cartel participates in drug trafficking, firearms trafficking, and extreme acts of violence. In June 2018, Mexican law enforcement agents searched a residence in Guadalajara, Mexico, that was linked to the NGJC. During the search, agents recovered thirty-six firearms, thousands of rounds of ammunition, marijuana, scales, and communication radios. One of the firearms recovered was a Barrett .50 caliber rifle with serial number AA006824 (Barrett AA006824).

9. On June 9, 2018, ATF agents in the Mexico City office discovered that the Barrett AA006824 was purchased from a Federal Firearms Licensee (FFL) located in the Eastern District of Wisconsin. The firearm trace information listed the following regarding the purchase of the Barrett AA006824:

- Original Purchaser: Elias Cobian
- Home Address: 6525 High Hill Circle, Racine, WI 53402
- FFL: The Shooter's Sports Center, Inc., 4900 Six Mile Road, Racine, WI 53402
- Firearm: Barrett, model 82A1, .50 caliber BMG Rifle displaying serial number AA006824
- Transferred: 04/27/18
- Time to Crime: 43 Days



10. "Time to Crime" is a common term used to describe the last known legal possession of a firearm (often the date purchased from the FFL) and the date of its first use in a crime (often the recovery date). ATF agents know from information published by the ATF's Violent Crime Analysis Branch (as of June 16, 2016) the national average time for a gun to be recovered in a crime by law enforcement after the original purchase date is 10.48 years (also known as "time to crime"). Additionally, the average time to crime of firearms in Wisconsin is 8.18 years. ATF agents know a short time to crime is a strong indication of firearms trafficking or "straw buying." The term "straw buying" is used to describe the purchase of a firearm knowing it will be provided to a second party. Affiant knows from training and experience that "straw buying" can be done to either provide firearms to a subject who cannot themselves legally buy firearms or to conceal the true owner of that firearm. The time to crime for the Barrett was 43 days, which is an extremely short period.

11. Elias Cobian did not report the Barrett AA006824 as stolen, which is suspicious because the Barrett AA006824 is valued at approximately \$7,400 to \$8,400. The failure to report the theft of a high-value item may be an attempt to remain undetected by law enforcement and evade documentation in police reports. Based on this information and the following evidence, ATF believes that Elias Cobian and his associates are involved in criminal firearms trafficking.

12. The recovered firearm was transferred to FFL Shooter's Sport Center in Racine, WI, after it was purchased from a posting on Gunbroker.com. Affiant contacted the seller (located outside of Wisconsin) who advised he shipped the firearm to the Racine FFL after he was contacted by Oswaldo Cobian who informed him his brother,



Elias Cobian, had used his account to purchase the firearm. Oswaldo Cobian contacted the seller from 414/366-1114 and provided the name Elias Cobian Soto with telephone number 414/526-9668 as the buyer. Oswaldo Cobian asked the seller how much a second Barrett rifle would cost. On 4/10/18, Oswaldo Cobian texted the seller, "in 2 days mi brother said you should recive check". On 04/14/18, the seller tells Oswaldo Cobian that he received the check and he replies, "Thank you". Continuing on 04/20/18, the seller informs Oswaldo Cobian that his brother's rifle (Elias Cobian) was shipped. The seller sends a text message to Oswaldo Cobian on 05/02/18 asking that read, "Hello Oswaldo How do you like the Barrett?" Oswaldo responded, "It is awesome, thanks." Affiant observed a copy of the Wells Fargo cashier's check listing the payer as Elias Cobian, dated 04/09/18, and in the amount of \$8,425.00.

#### **ELECTRONICS IN FIREARMS TRAFFICKING & DRUG ORGANIZATIONS**

13. Affiant knows from training, experience, and this investigation that electronics are critical to the function of firearm and drug traffickers. Throughout this investigation, communications using a wide variety of electronic platforms have facilitated logistics of firearms and drug trafficking. These communications are interstate and international in nature. The platforms include email, internet gun brokering sites that allow the user to communicate, social media, and associated cellular phone applications, and cellular phones. The majority of these communications can be accessed via cellular phone, computer, tablet, or any electronic device that can communicate over the internet. Affiant has observed communications, detailed below, captured from several of our suspects who use these platforms and show that these platforms and devices are indeed used for the trafficking of firearms and drugs. Such



evidence includes photographs of trafficked firearms, photographs of illegal drugs, photographs of wire transfers for firearms transactions, conversations regarding the trafficking of firearms and drugs and conspirator identifications, videos of human torture connected to cartel activity, cartel references, voice memos explaining preferred firearm trafficking methods, and statements regarding personal drug use. Your Affiant believes the following affidavit will show how electronic communications and electronic devices are critical to the interstate and international transport of firearms from Wisconsin to criminal organizations in the United States and Mexico.

**ELIAS COBIAN**

14. On September 26, 2018, ATF agents traveled to The Shooter's Sports Center, Inc., located at 4900 Six Mile Road, Racine, WI (Shooter's) to review the ATF Firearm Transaction Form 4473 (ATF Form 4473) for any firearms that Elias Cobian purchased. ATF Form 4473 is required to complete the purchase of a firearm from an FFL. Elias Cobian purchased the following firearms from Shooter's:

- Barrett AA006824, transferred on 4/27/2018 (recovered in Guadalajara, Mexico)
- KelTec, model PMR30, .22WMR pistol, displaying serial number WWLU72, transferred on 11 /16/2017
- KelTec, model PMR30, .22WMR pistol, displaying serial number WWHC86, transferred on 10/24/2017
- KelTec, model PMR30, .22WMR pistol, displaying serial number WW7B81, transferred on 08/23/2016

15. On April 4, 2019, agents located ATF form 4473 dated 09/18/2018 for a



transaction from Fletcher Arms located at 1441 E Main St, Waukesha, WI, 53186. The firearms transfer form was for the below listed rifle. The recipient of that firearm was Elias COBIAN.

16. Barrett, model 82A1, .50 BMG caliber rifle displaying S/N AA007538 transferred on 09/18/2018

17. A review of the ATF Form 4473s signed by Elias Cobian revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

#### OSWALDO COBIAN

18. ATF believes that Oswaldo Cobian is Elias Cobian's associate and also involved in criminal firearms trafficking. ATF believes that Elias and Oswaldo Cobian currently reside at the same address, 6525 High Hill Circle, Racine, WI. ATF determined this because: (1) Elias and Oswaldo Cobian each have registered a vehicle to that address; (2) on their respective ATF Form 4473s, Elias and Oswaldo Cobian both identify their home address as 6525 High Hill Circle; and (3) on September 26, 2018, ATF agents conducted surveillance at 6525 High Hill Circle and observed a Chevrolet Silverado Truck with Wisconsin License Plate AG4081 in the driveway at the residence. The vehicle is registered to Elias and Oswaldo Cobian.

19. Through a review of Shooter's ATF Form 4473s, ATF determined that Oswaldo Cobian purchased the following firearms, and on the forms for these purchases, he identified his home address as 6525 High Hill Circle, Racine:

- Barrett, model M82A1, .50 BMG Caliber Rifle displaying S/N 1535 transferred 04/25/18

- Barrett, model 82A1, .50 BMG Caliber Rifle displaying S/N AA006768, transferred 02/24/18
- KelTec, model PMR30, .22 WMR caliber pistol, displaying S/N WWK014, transferred 11/16/17
- KelTec, model PMR30, .22 WMR caliber pistol, displaying S/N WW7A37, transferred 08/23/16

20. Continuing on 02/27/2019, Oswaldo Cobian was observed on surveillance footage at FFL Gander Outdoors in Kenosha, WI, engaged in the purchase of two rifles. The footage also showed that these rifles were each in a brown, cardboard box. ATF agents obtained ATF Form 4473s for the following two firearms transferred to Oswaldo Cobian on the footage:

- Fabrique Nationale (FN) America, Model SCAR 17 SFDE, 7.62 caliber rifle bearing serial number HC40015
- FN America, Model SCAR 17 SFDE, 7.62 caliber rifle bearing serial number H0C10924

21. Continuing on 02/27/2019, Agents observed Oswaldo Cobian return to 6525 High Hill Circle, Racine, WI, and park his vehicle in the driveway. Cobian removed two boxes from this vehicle that were consistent in appearance with the type that FN America SCAR 17 SFDE rifles are packaged and the type observed on the surveillance footage. These items were moved inside the residence. Affiant believes these items still remain in the house since, as of the time of this affidavit, these objects have not been observed leaving the home.

22. Affiant knows that multiple purchases of the same model of firearm can



be an indicator of firearms trafficking. Further, this style of rifle is popular among Mexican drug cartels.

23. A review of the ATF Form 4473s signed by Oswaldo Cobian revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

24. On one of Oswaldo Cobian's ATF Form 4473s, he identified his telephone number as 414-366-1114.

25. Agents believe 6525 High Circle Road, Racine, WI, is still the active residence of Oswaldo Cobian. Oswaldo Cobian was observed exiting and entering residence on 02/08/2019, 02/21/2019, 02/27/2019, and 02/28/2019. Oswaldo Cobian listed this address on his ATF Form 4473s dated 02/27/2018 for the purchase of two separate firearms. This address is currently listed address on Wisconsin Driver's License and he has two vehicles registered to the same address.

26. Affiant also believes Elias Cobian still maintains a residence at 6525 High Circle Road, Racine, WI. ATF agents observed Elias Cobian enter and exit the above residence on 02/21/2019. Further, his Wisconsin Driver's License and vehicle register to this address.

#### **RAFAEL PRECIADO**

27. ATF agents believe that Rafael Preciado is Elias and Oswaldo Cobian's associate and also involved in criminal firearms trafficking.

28. ATF agents learned from the Department of Homeland Security Investigations (HSI) that the Chevrolet Silverado Truck with Wisconsin License Plate AG4081 crossed from Mexico into the United States on January 28, 2018. At the time,

Elias Cobian and Rafael Preciado were in the vehicle.

29. ATF agents further saw that on September 12, 2018, Preciado attempted to purchase a firearm at FFL The Gun Shop LLC, located at 1452 Sheridan Road, Kenosha (The Gun Shop), but the sale was denied. Preciado ordered the firearm through Rat Worx, Inc., which shipped the firearm to The Gun Shop for delivery to Preciado. The ATF Form 4473 related to this transaction showed that Preciado attempted to purchase the following firearm:

- Barrett, model M82, .50 caliber rifle, displaying S/N AA007013 (Barrett AA007013)

30. ATF agents also obtained surveillance footage from the attempted purchase of the Barrett AA007013 at The Gun Shop. The footage showed Preciado inside of the store with a person who agents believe to be Oswaldo Cobian. ATF agents compared the subject to the Wisconsin Driver's License photograph of Oswaldo Cobian and believe this to be the same person. ATF agents also know that Oswaldo Cobian drives a 2017 Silver, Chevrolet Tahoe, bearing WI license plate 496-TPJ. The footage showed a Chevrolet Tahoe in The Gun Shop parking lot. During the attempted purchase of the Barrett AA007013, Preciado and Oswaldo Cobian viewed firearms together.

31. ATF agents reviewed the sales receipt from Rat Worx, Inc., and learned that Preciado provided telephone number 414-236-0396 and email address Rabanop1962@hotmail.com as his contact information. A review of call records revealed that 414-236-0396 was in contact with 414-366-1114 (the telephone number used by Oswaldo Cobian) five times on September 12, 2018, the date of the attempted purchase



of the Barrett AA007013.

32. ATF agents received an additional ATF Form 4473 from Shooter's. According to this form, Preciado completed the purchase of the following firearm:

- KelTec, model PMR30, bearing S/N WLNU531 transferred on 6/3/2018.

33. A review of the ATF Form 4473s signed by Preciado revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

34. ATF agents reviewed National Instant Background Check System (NICS) records related to Preciado. Agents discovered on an ATF Form 4473 that Preciado identifies his residence as 2152 S. 57th Street, West Allis, WI.

**PATRICK FINNELL, JR.**

35. ATF agents believe that Patrick Finnell, Jr. is Elias Cobian and Oswaldo Cobian's associate and also involved in criminal firearms trafficking.

36. ATF agents queried Facebook and found a profile listed as "Pat Finnell," Facebook ID number for the profile is 100005250308551, and a corresponding URL of <https://www.facebook.com/pat.finnell.10>. The Wisconsin Department of Transportation (WIDOT) photograph of Patrick Finnell, Jr. was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. This Facebook page showed listed "Friends" with the known Facebook profiles for Oswaldo Cobian and Elias Cobian.

37. Through a review of several records including ATF Form 4473s, ATF determined that Patrick Finnell, Jr. purchased the following firearms and ammunition:

- **FIREARM 1:** Barrett 82A1, 50 caliber BMG rifle, and bearing serial

number AA002853 transferred 6/13/2018 from FFL The Gun Shop in Kenosha, WI

- **FIREARM 2:** Browning M2HB, 50 caliber BMG rifle displaying serial number 000043 transferred on 6/15/2018 from FFL The Gun Shop in Kenosha, WI
- **FIREARM 3:** Barrett, model M82A1, 50 caliber BMG rifle displaying serial number AA002148 transferred on 7/26/2018 from FFL The Shooters Sport Center in Racine, WI
- **FIREARM 4:** Barrett, model BA-M82, 50 caliber BMG rifle, displaying serial number AA007013 transferred on 09/20/2018 from Gander Outdoors in Kenosha, WI (this is the same firearm Rafael Preciado attempted to obtain on 09/12/2018)

***FIREARM 1: Barrett 50 caliber rifle S/N: AA002853***

38. Affiant learned Firearm 1 was purchased on Gunbroker.com by a user with the information subscriber information of Oswaldo Cobian, username Cobian\_owald4, 6225 High Hill Circle, Racine, WI, 53402-1365, phone number of 414/366-1114, and email of [Cobian4@hotmail.com](mailto:Cobian4@hotmail.com). The receipt was dated 06/05/2018 for the purchase. This firearm was transferred by an out of state seller, therefore it had to be transferred to a FFL within the state of Wisconsin. The firearm was transferred to Patrick Finnell on 6/13/18.

39. A review of the ATF Form 4473 signed by Finnell revealed that he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"



***FIREARM 2: Browning M2HB Belt-Fed Rifle S/N 000043***

40. Affiant interviewed the original seller of Firearm 2 who confirmed he posted the rifle via Gunbroker.com. The seller explained the firearm was won in an auction by the Gunbroker.com profile listing the following information: Oswaldo Cobian, username Cobian\_oswald4, 6225 High Hill Circle, Racine, WI, 53402-1365, phone number of 414/366-1114, and email of [Cobian4@hotmail.com](mailto:Cobian4@hotmail.com). Affiant knows these to be identifiers used by Oswaldo Cobian. On 05/28/18, shortly after winning the item, a message from the Cobian\_oswald4 Gunbroker.com account was sent as follows: "Hey I will be back in town tomorrow sorry for the inconvinus I will send you your check a sones possible". Affiant knows from this investigation that the language used and misspelling are consistent with messages sent by Oswaldo Cobian.

41. Continuing on 5/31/18, the Cobian\_oswald4 sends the following message, "Hi my name is Pat Finnell, Oswaldo Cobian found the 50 cal rifle for me. I went to a gun shop and the guy that does the transactions was not there. His name and number is Luke Stahl and his number is 262 925 1001. The business name is The Gun Shop LLC. If you could contact me when the information is complete. My phone number is 262 305 8609, I also will send the money tomorrow". The seller required Finnell to provide a cashier's check for \$12,999 plus \$175 (shipping) before shipping to the FFL in Wisconsin. The firearm was transferred to Finnell on 06/15/2018.

42. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

43. Affiant learned that a Gunbroker.com account listed to Victor Cobian had



inquired about a posting listed as, "M2HB 50 Cal Machine Gun Complete Internal Part Kit". The seller confirmed via telephone that they indeed shipped the parts kit for an M2HB Browning Rifle, (such as Firearm 1) to Victor Cobian at 3540 River Bend Road, Racine, WI, 53404-1558. The seller said Cobian advised the order was a rush and he had almost everything he needed (believed to mean items needed to convert an M2HB into a fully automatic machine gun). The seller also found it odd that Cobian paid \$1,620 for the kit and selected the "buy it now" price, although there were no bids for the item and the current bid was a lower price. Affiant received copies of the United States Postal Service (USPS) receipts from the seller, which showed the parts kit was delivered on 8/09/18. The receipt shows a signature by consistent with Victor Cobian.

***FIREARM 3 Barrett Rifle S/N AA002148***

44. ATF determined that the purchase of the Barrett 82A1 rifle displaying S/N AA002148 was connected to Oswaldo Cobian. The Gun Shop provided records that showed that the transaction for the Barrett 82A1 was initiated on the online auction website, Gunbroker.com. Gunbroker.com sent the Barrett 82A1 to The Gun Shop. The auction purchaser for the Barrett 82A1 listed the following identifying information on the Gunbroker.com website: username: "Cobian\_oswald4", name: Oswaldo Cobian, address: 6525 High Hill Circle, Racine, WI, 53402-1365, telephone: 414-366-1114, email: [Cobian4@hotmail.com](mailto:Cobian4@hotmail.com). Affiant knows these to be identifiers for Oswaldo Cobian.

45. Affiant contacted the seller who confirmed that the above Gunbroker.com account did win the auction for Firearm 3. They further explained that he was contacted by a subject who had a Spanish accent he believed was Oswaldo Cobian. This subject informed him the firearm was actually for Patrick Finnell.



46. A short time later, the seller was contacted via text message by a subject who introduced himself as Pat Finnell and a friend of Oswaldo (Cobian). Finnell inquired where to send the payment and was instructed to send a cashier's check.

47. The seller advised that Oswaldo Cobian contacted him to check the progress of the transaction. A series of emails was provided showing an inquiries from Cobian\_oswald4 via Gunbroker.com. On July 25, 2018, Cobian\_oswald4 sent, "Hey just wondering what's going on you got your money and i still don't have mi rifle I text you earlier and you didn't text me back when are you going to send it??" The seller contested the request on 07/27/18 and advised Cobian\_oswald4 that the rifle was for Patrick Finnell (who was in a text message conversation with the seller regarding the firearm) and it was illegal for Finnell to buy a firearm and give it to Oswaldo Cobian. He further informed Cobian that the firearm was sent to Finnell at FFL Shooter's Sport Center in Racine, WI. The Cobian\_oswald4 profile responded later that day with the following message: "No it was Patrick who send you the message we work together and he ask me iff he can send a message from mi account iff see if you would answer be cause he was worried about you did not guet back to him wen you told him Monday that you was gonna send him the trucking number. Sorry for the misunderstanding. Have a good night".

48. Affiant believes that Oswaldo Cobian sent both messages although he claimed the inquiry into the rifle was for Finnell. Your Affiant believes this because the language and misspellings are those commonly observed in English communications by Oswaldo Cobian. Further, using "mi" instead of "my" (such as "mi rifle" and "mi account") can be an indication of a native Spanish speaker. "Mi" is the Spanish word for

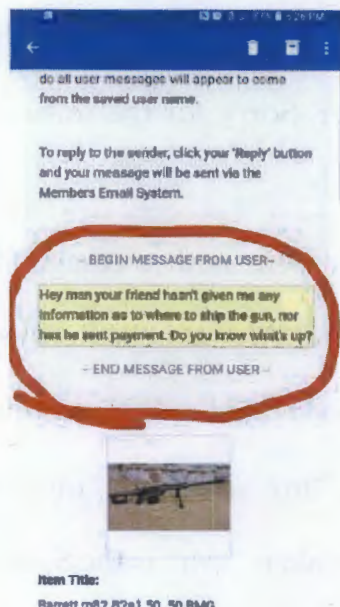
my.

49. The seller received a BMO Harris cashier's check for the Firearm 3 in the amount of \$6,300 listing the payee as Patrick W. Finnell. The check arrived in a United States Postal Service (USPS) Priority Mail envelop listing Patrick Finnell, 2665 4 ½ Mile Road, Racine, WI, 53402, as the sender. Affiant observed the reverse side of the check and it shows a stamp indicating it was negotiated on 07/13/2018.

50. Affiant also observed Facebook messages (pursuant to a Federal search warrant) between the Facebook accounts associated with Patrick Finnell and Oswaldo Cobian that confirm Finnell and Cobian were working together. On July 08, 2018, Cobian sent Finnell the contact information for the seller of Firearm 3. Additionally, Oswaldo Cobian provided screenshots of the Gunbroker.com chat with the seller of the Firearm 3. The chat reads as follows:

July 08, 2018:

Seller: Hey man your friend hasn't given me any information on where to ship the gun, nor has he sent payment. Do you know what's up?

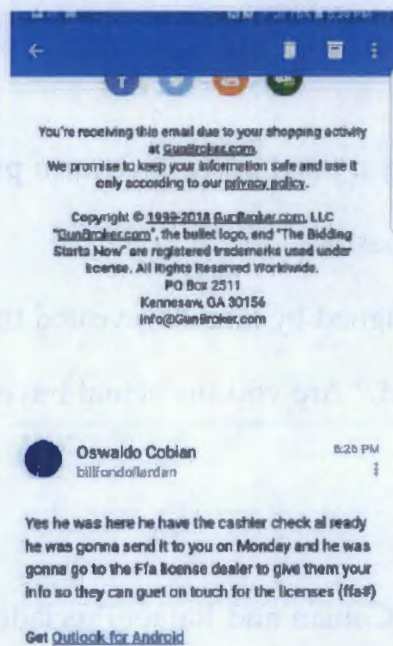




(actual screenshot – the red circle over conversation was added to picture)

51. Oswaldo sends second screenshot to Finnell that reads as follows:

Oswaldo: Yes he was here he have the cashier check al ready he was gonna to send it to you on Monday and he was gonna go to the ffa license dealer to give them your info so they can guet on touch for the licenses (ffa#)



Oswaldo: Did you text him?

Finnell: Yea

52. Finnell completed an ATF 4473 at FFL Shooter's Sport Center and the rifle was transferred to Finnell on 07/26/2018. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

53. The seller also agreed to send .50 caliber BMG ammunition to Finnell separately from the firearm so Finnell could shoot it shortly after receiving it. Finnell

text messaged 2665 4 ½ Mile Road, Racine, WI, 53402, as the address to ship the ammunition. The seller never shipped the ammunition to Finnell and Finnell never inquired to its whereabouts. The seller found this odd due to the expensive cost of .50 caliber ammunition. Affiant believes this may be an indicator that Finnell never intended to shoot the firearm himself. Additionally, when individuals do not show an interest in common accessories, ammunition, magazines, and other items commonly used for firearms, it can be an indication that the firearm is not intended for the purchaser.

54. Affiant knows that involvement by a third party in firearm purchases is a very strong indication of organized, straw purchasing.

55. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

***FIREARM 4: Barrett Rifle S/N: AA007013***

56. On September 12, 2018, Oswaldo Cobian and Rafael Preciado traveled to FFL The Gun Shop in Racine, WI, to obtain Firearm 4 after purchasing it from FFL Ratworx in Mt. Morris, IL, via Gunbroker.com. Preciado attempted to purchase Firearm 4 but was denied during the background check. Oswaldo Cobian asked the FFL to put the firearm into his name but the FFL denied this request. Phone records shows numbers used by Cobian and Preciado were in contact approximately five times on this day.

57. Due to the denial, the FFL had to return Firearm 4 to FFL Ratworx in Illinois. On 09/13/2018, Oswaldo Cobian returned to the FFL to pay for the return to



the FFL in Illinois.

58. On October 31, 2018, ATF agents responded to the Oak Creek Police Department after learning that several Barrett .50 caliber rifle cases and Kel-Tec PMR30 pistol cases were recovered from a dumpster near 3950 E. High Street, Oak Creek, WI. This location is within approximately 0.3 miles from the residence of Oscar Cobian and the bar operated by Victor Cobian. This business is also frequented by Elias Cobian and Oswaldo Cobian. Agents believed this was odd because a Barrett rifle Pelican Cases cost approximately \$375 per case and are imperative to maintaining the condition of an expensive firearm. The following firearm cases were recovered from the dumpster:

- Five Pelican brand cases designed for Barrett rifles
- Three KelTec PMR30 cases displaying the following serial numbers: WWLU72, WW7A37, and WWHC86
- One Plano long gun case

59. ATF agents cross-referenced the retrievable serial numbers on the pistol cases and found that they matched the serial numbers of the following Kel-Tec PMR30 caliber pistols purchased by Elias and Oswaldo Cobian:

- Kel-Tec, model PMR30, .22 WMR caliber pistol, displaying S/N WW7A37, transferred on 08/23/16 to Oswaldo Cobian
- Kel-Tec, model PMR30, .22WMR pistol, displaying serial number WWLU72, transferred on 11 /16/ 17 to Elias Cobian
- Kel-Tec, model PMR30, .22WMR pistol, displaying serial number WWHC86, transferred on 10/24/17 to Elias Cobian

60. Agents also inspected the Barret rifle cases and found manuals for Barret .50 caliber rifles and Barrett .416 rifles. Affiant knows that a Barrett, .416 rifle was shipped to FFL Chambered in Sturtevant, WI, for Victor Cobian.

61. In addition, agents also discovered a Barrett inspection tag for a Barrett .50 caliber rifle with serial number AA007013 (Firearm 4). This is the firearm Rafael Preciado attempted to purchase on September 12, 2018 in Racine, WI. Agents suspected Preciado and Oswaldo Cobian found a secondary means to obtain the rifle.

62. Subsequently, ATF Agents contacted FFL Rat Work and gathered additional information regarding the life-cycle of Firearm 4. After reviewing FFL invoices and shipping manifests, Affiant learned the rifle was shipped from FFL The Gun Store in Wisconsin back to FFL Rat Worx in Illinois on 09/14/2018. FFL The Gun Store listed "the customer was denied" (Preciado) on the invoice as the reason for the return.

63. Next, Affiant observed a FFL Rat Worx sales receipt dated 09/18/18 for charges associated with Firearm 4 in the amount of \$51.38 to FFL Gander Outdoors in Kenosha, WI. This is consistent with FFL transfer charges. The sales receipt listed the customer as Pat Finnell, 2665 4 Halfmile Road, Racine, WI, 53402. ATF agents observed an ATF Form 4473 confirming Finnell received the firearm from FFL Gander Outdoors on September 20, 2018 (after Preciado's denial and return of the firearm).

64. In summary, in approximately six days, the firearm was returned from FFL The Gun Store in Kenosha, WI, back to FFL Ratworx in Mt. Morris, IL, then shipped back to a second FFL in Kenosha, WI, and ultimately into Patrick Finnell's possession. Further, it appeared Finnell only paid transfer charges for the rifle.



Therefore, the original purchaser (Preciado) still had \$7,446.97 invested into the firearm. Affiant knows from training and experience this is a strong indication of organized firearms trafficking and organized straw buying. Further, the discarding of expensive firearm cases suggest that the weapons are possibly being moved by unconventional means. In your Affiant's training and experience it is not uncommon for trafficked firearms to be "broken down" to reduce their size and secreted in vehicles among other methods. In addition, the purchasers may also be attempting to hide evidence of their association with the firearms.

65. A review of the ATF Form 4473s signed by Finnell revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

66. ATF agents believe Finnell resides at 2665 4 1/2 Mile Road, Racine, WI, 53402. Finnell was observed inside this address 02/28/2019. Finnell currently uses the above address as on his Wisconsin Driver's License and vehicle registrations. Finnell provided this address to an associate on Facebook in August 2018. A law enforcement interaction occurred with Finnell at this address also in August 2018.

#### VICTOR COBIAN

67. ATF agents believe that Victor Cobian is Elias and Oswald Cobian's associate and is also involved in criminal firearms trafficking.

68. ATF agents observed publicly viewable photographs posted to the Facebook page with Facebook username "Oswaldo Cobian" Facebook ID Number 100000952930252, and URL: 100000952930252. WIDOT photographs were compared to the posted pictures on this Facebook page, and the appearance is consistent with

Oswaldo Cobian. A publicly viewable photograph shows Oswaldo Cobian with a subject matching the appearance of Victor Cobian. ATF agents compared to the posted picture on this Facebook page with Victor Cobian's driver's license photo, and the appearance is consistent.

69. Through a review of several records including ATF Form 4473s, ATF determined that Victor Cobian purchased the following firearms and ammunition from FFL Chambered, located at 1630 Wisconsin Street, Sturtevant, WI:

- Barrett, model M82A1, .50 caliber rifle, displaying serial number AA007354 (Barrett AA007354) transferred 8/16/2018
- Barrett, model 82A1, .50 caliber BMG rifle displaying serial number AA0073454 transferred 08/16/2018
- Barrett, model 82A1, .50 caliber BMG rifle displaying serial number AA007837 transferred 10/09/2018
- Barrett, model 82A1, .50 caliber BMG rifle displaying serial number AA007825 transferred 10/09/2018
- Fabrique Nationale Herstal (FNH), model M249S, 5.56 rifle, displaying serial number M249SA05209 transferred 10/9/2018
- FNH, model 9C, 9mm pistol, displaying serial number CSU0054557 transferred 8/3/2018

70. Records from Chambered showed that Victor Cobian provided the following contact information when he purchased the Barrett AA007354: telephone number: 847-505-0429 and email: Chapo6478@gmail.com.

71. Chambered informed ATF agents that in 2018 Victor Cobian purchased



approximately 20,000 rounds of .50 caliber ammunition, which is the caliber for Barrett rifles. The rounds cost approximately \$2.30 per round. Victor Cobian's ammunition purchase is valued at approximately \$46,000.

72. A review of ATF's eTrace system revealed that Victor Cobian is linked to multiple firearm traces and recoveries. Some of the traces and recoveries were linked to criminal activity including possession of heroin, marijuana, and cocaine, and possession of firearms by felon cases.

73. A review of the ATF Form 4473s signed by Victor Cobian revealed that each time he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?" Affiant also observed mail for Victor CObian at 3540 River Bend Drive, Racine, WI in December of 2018. Victor Cobian utilized this address on ATF Form 4473s on 08/03/2018, 08/16/2018, and 10/09/2018. The cellular phone number associated with Victor, 847-505-9429, lists to that address and is written on ATF Form 4473s. A November credit card statement lists to this address.

74. On Victor Cobian's ATF Form 4473s, he identified his home address as 3540 River Bend Drive, Racine, WI. Agents believe this is the current address for Victor Cobian. On 03/01/2019, Agents observed vehicles registered to Victor Cobian parked at the above address.

**JEREMIAH CHOLIP**

75. During this investigation, ATF learned that Victor Cobian often purchased firearms through FFL Chambered, LLC in Sturtevant, WI. Like Oswald Cobian, these firearms were often internet purchases from out of state FFLs that were shipped to FLL

Chambered and transferred into the possession of Victor Cobian. Stephanie Cobian and Cristiana Cole (sister of Victor) also purchased firearms from Chambered. Victor also used a Gunbroker.com account to transfer firearms to Chambered. Victor Cobian also purchased a Barrett, .50 caliber rifle was also shipped to FFL Chambered from FFL Rat Worx in Illinois. This is the same FFL utilized during a Barrett .50 caliber rifle purchase by Rafael Preciado but was denied during the background check (see above).

76. On 10/25/2018, Agents interviewed the owner of FFL Chambered and learned that Victor Cobian would only conduct business with Jeremiah "Jerry" Cholip at his store. It was common for Victor Cobian to pay in cash. In one instance, the FFL owner was aware of that Victor paid for firearms up front so they could be ordered from FFL wholesaler Lipsey's. Lipsey's will only accept payments from an FFL on file, therefore the cash from Victor Cobian was deposited into the FFLs bank for payment to Lipsey's.

77. The FFL further advised that the money for a .50 caliber ammunition for purchase on behalf of Victor Cobian was completed after Cholip placed the money into his personal account. The FFL estimated that Cholip had conducted two different .50 caliber ammunition transactions totaling approximately 20,000 rounds. The FFL felt Cholip was acting secretive about the first transaction.

78. The FFL told ATF that a sale was brokered by Cholip between a private seller and Victor Cobian on 10/29/18. The deal was for thirty-one firearms (mix of handguns and rifles) and Victor Cobian paid the seller approximately \$60,000 to \$70,000 in cash for the guns.

79. On 10/31/2018, ATF agents responded to Oak Creek, WI, where they



recovered discarded firearms cases in a dumpster near the bar operated by Victor Cobian, the residence of Cristiana Cole, and the residence of Oscar Cobian (also mentioned above). Serial numbers on the recovered boxes linked to purchases by Oswaldo Cobian, Elias Cobian, Patrick Finnell, Jr., Rafael Preciado (attempted). In addition, a Barrett rifle case containing a Barrett .416 rifle manual was recovered. Affiant knows that Victor Cobian returned a Barrett .416 rifle to its originating FFL. The FFL employee confirmed that rifle was returned but believed it came in a box for a .50 caliber rifle instead of a .416 caliber rifle. Affiant believes that this box was retained accidentally and could explain how a .416 Barrett rifle manual was recovered with other Cobian firearm cases. Ultimately, these boxes linked to the group were recovered by law enforcement approximately six days after ATF's visit to FFL Chambered. Affiant believes it is possible the group was made aware of the investigation and disposed of evidence.

80. Between the dates of 09/05/2018 and 10/10/2018 (records available), Victor Cobian (847-505-9429) communicated with Jerry Cholip one hundred seventy six (176) times at the number 262-902-6757. Agents know this as Cholip's phone number after it was provided to law enforcement by Cholip during a noise complaint.

81. Affiant observed Victor Cobian and Cholip each wearing support clothing for the Outlaws Motorcycle Gang. Agents know this group as a criminal organization.

82. Cholip's address is listed as 4635 Youngblood Rd, Racine, WI, on his Wisconsin Driver's License. Cholip was listed as defendant under Racine County Case Number 2018TR014176 listed 4635 Youngblood Road, Racine, WI, 53405. The address was listed as "last updated" on 02/01/2019. Cholip had law enforcement interactions

on 06/01/2018, 06/05/2018, and 07/11/2018 at the above address. Affiant also knows that Cholip received packages at this address in February 2018.

#### OSCAR COBIAN

83. ATF agents believe that Oscar Cobian is Victor Cobian's relative and also involved in criminal firearms trafficking. ATF agents know from a published obituary that Victor and Oscar Cobian are brothers.

84. From multiple government record sources, ATF confirmed that Oscar Cobian's home address is 3927 E. Dexter Avenue, Oak Creek, WI.

85. A query of the Wisconsin Department of Financial Institutions listed 3540 River Bend Drive, Racine, WI, as the Principle and Registered Agent Office for Cobian Utility Contractors, LLC. The registered agent for this address was listed as Oscar Cobian. A query of the Illinois Office of the Secretary of State listed Agent Address of 2349 S. Pulaski Road, Chicago, IL, for Cobian Utility Contractors, LLC with a Principle Address of 3540 River Bend Drive, Racine, WI. The LLC managers were listed as Victor and Oscar Cobian.

86. A review eTrace firearm records showed that Oscar Cobian purchased the following firearm:

- Anderson Manufacturing, model AM-15, multi-caliber pistol, AR-15 style, S/N 14150396 transferred 4/25/2015 (AM-15)

87. A review of the ATF Form 4473 signed by Oscar Cobian revealed that he answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

88. The AM-15 was recovered on April 12, 2017, during the arrest of



convicted felon Alfredo Salinas-Valladares in Nagadoches, Texas. Also recovered during the arrest was 0.7 grams of cocaine, \$6,900, and a Lauer Custom AR-15, model LCW15, 9mm, pistol S/N SML-6601 (Lauer Custom), purchased by a Wisconsin citizen (W.C.) on January 27, 2013. Salinas-Valladares was interviewed, and he informed the Nagadoches County Sherriff Office (NCSO) deputies that he was driving from Wisconsin.

89. On October 11, 2018, ATF agents contacted W.C. who informed ATF that, in 2016, he sold the Lauer Custom in a private Armslist.com sale to Michael J. Repa. Repa used email address, Mikerepa@att.net, while conducting that firearm transaction with W.C. on Armslist.com.

90. ATF agents also recognized Repa as the original purchaser of the following three firearms that were eventually possessed by Victor Cobian:

- Winchester model SXR, 300 Caliber rifle S/N 31AMT01603.
- Stoeger, model 200, 12 gauge shotgun S/N 831352
- Taurus, model Tracker, .17 caliber revolver S/N WI148397

91. These three firearms that were possessed by Victor Cobian were confiscated by the ATF and Oak Creek Police Department (OCPD) on May 20, 2011, after Victor Cobian admitted cocaine usage.

#### **STEPHANIE COBIAN AND CRISTINA COLE**

92. ATF agents believe that Stephanie Cobian and Cristina Cole are related to several suspects and also involved in criminal firearms trafficking.

93. ATF knows from a publicly published obituary that Stephanie Cobian is the wife of Victor Cobian and Christina Cole is the sister of Victor and Oscar Cobian.

94. ATF agents learned that Stephanie Cobian and Cristina Cole purchased similar makes and models of firearms from Chambered. Between September 30, 2018, and October 24, 2018, ATF Form 4473s showed that Stephanie Cobian and Cristina Cole purchased multiple firearms from FFL Chambered.

95. Cristiana Cole purchased the following firearms:

- FN model M249S, 5.56 caliber rifle bearing serial number M249SA07138
- FN model SCAR, 5.56 caliber rifle bearing serial number

96. Affiant learned that FFL and firearm wholesaler, Lipsey's located in Louisiana shipped these firearms that were ultimately transferred to Cole. A Lipsey's employee explained they only dealt with FFLs and would not did not engage in personal internet sales. Therefore, the account had to be affiliated with an FFL for the transaction to proceed.

97. Stephanie Cobian purchased the following firearms from FFL Chambered:

- Colt model Commander, .38 super, bearing serial number CU06401E
- Smith & Wesson 640, .38 special, revolver bearing serial number DKM3320

98. The Colt Commander was won via a bid on Gunbroker.com. The winning bidder was username Wisc6622, Victor Cobian, 3540 River Bend Drive, Racine, WI 53404-1558, (847)505-9429, Email: Chapo6478@gmail.com. The seller said "Mr. Cobian" provided the payment information over the phone and the firearm was shipped to FFL Chambered on 09/27/2018 per Cobian's request. This is a similar method used by Oswaldo Cobian.

99. Some of the above firearms are the same make, model, and caliber as the



firearms purchased by the other suspects.

100. A review of the ATF Form 4473s signed by Stephanie Cobian and Cristina Cole revealed that each time they answered "Yes" to question 11a which stated, "Are you the actual buyer/transferee of the firearm(s) listed on this form?"

101. Stephanie Cobian provided 3540 River Bend Drive, Racine, WI, as her address on the ATF Form 4473 and her Wisconsin Driver's License. This is the same address as Victor Cobian and believed to be her current residence. On 03/01/2019, ATF agents observed a vehicle registered to Stephanie Cobian parked at this location.

102. Cristina Cole provided 3917 E. Maple Street, Oak Creek, WI, as her address on the ATF Forms 4473s, and this was still her address is used on her Wisconsin Driver's License. Cole had previously provided this address to Facebook associates in 2017.

103. On March 1, 2019, members of the ATF Milwaukee and Rockford, IL, field offices executed a search warrant on 3917 E. Maple Street, Oak Creek, WI. Agent's chose a "knock and talk" approach with the warrant in order to gain cooperation of the individuals believed to be inside the residence. Although COLE's current address on her Wisconsin driver's license is 3917 E. Maple Street, Oak Creek, WI, and she wrote that address on her ATF form 4473 in September of 2018, agents discovered that COLE had recently moved from the property.

104. On March 1, 2019, ATF Special Agent Richard Connors interviewed Victor COBIAN related to the investigation. During the interview Victor COBIAN stated to Special Agent Connors that his sister (COLE) resided in South Milwaukee.

105. On March 4, 2019, ATF Special Agent Richard Connors and ATF Special

Agent Ryan Arnold went to the address of 513 Michigan Ave, South Milwaukee, WI. Special Agents Connors and Arnold traveled to the aforementioned address to locate and interview COLE.

106. Parked in front of the residence was a 2003 Red Ford F-150, bearing license plate LV7919. Special Agent Connors observed COLE operating this vehicle near her place of employment in the past (Victor's Again). Agents knocked on the door to the residence and COLE answered the door. Agents indicated to COLE they were there to talk to her about the two firearms she purchased on 09/30/2018 - see paragraph 56 for details of those firearms. COLE stated to agents that she only purchased one firearm and she did not purchase two despite what ATF form 4473 had indicated. COLE did not allow agents to ask any more questions and the agents departed the residence.

107. It should be noted that on 03/01/2019, ATF Milwaukee recovered approximately 52 firearms related to the COBIAN family during the execution of five federal residential warrants. Despite the firearms recovered, no Barrett .50 caliber rifles, FN model M249S rifles, were recovered from any residence. Two FN SCAR rifles were recovered from the residence of Oswaldo COBIAN. Agents determined he purchased these rifles on 02/27/2019 from Gander Outdoors in Kenosha, WI. No FN SCARs purchased in 2018 by any COBIAN family member or associate were recovered on 03/01/2018 indicating the family members no longer have these firearms.

#### TELEPHONE CONTACTS TO JALISCO, MEXICO

108. ATF agents observed call records for what is believed to be Oswaldo Cobian's telephone number, 414-366-1114, from September 3, 2018, until October 2, 2018. This telephone number was in contact with Jalisco, Mexico approximately 857



times during this timeframe.

109. ATF agents observed call records for what is believed to be Elias Cobian's telephone number, 414-526-9668, from September 3, 2018, until October 2, 2018. This telephone number was in contact approximately 91 times with Jalisco and Sinaloa, Mexico during that timeframe.

#### **TELEPHONE CONTACTS AMONG THE SUSPECTS**

110. ATF agents also reviewed telephone contact records between September 3, 2018, and October 2, 2018, and the records showed Oswaldo and Elias Cobian had multiple contacts with Patrick Finnell Jr. and Rafael Preciado. The telephone number associated with Elias Cobian showed it was in contact with Patrick Finnell, Jr. approximately 16 times, Raphael Preciado 12 times, and Oswaldo Cobian 168 times.

111. The phone number for Oswaldo Cobian showed he was in contact with telephone numbers associated with Raphael Preciado 56 times, and Patrick Finnell, Jr. 28 times.

#### **OSWALDO COBIAN FIREARM PURCHASE FEBRUARY 2019**

112. On 02/27/2019, Oswaldo Cobian was observed on surveillance footage at FFL Gander Outdoors in Kenosha, WI, engaged in the purchase of two rifles. The footage also showed that these rifles were each in a brown, cardboard box. ATF agents obtained ATF Form 4473s for the following two firearms transferred to Oswaldo Cobian on the footage:

- Fabrique Nationale (FN) America, Model SCAR 17 SFDE, 7.62 caliber rifle bearing serial number HC40015
- FN America, Model SCAR 17 SFDE, 7.62 caliber rifle bearing serial

number H0C10924

113. Continuing on 02/27/2019, Agents observed Oswaldo Cobian return to 6525 High Hill Circle, Racine, WI, and park his vehicle in the driveway. Oswaldo Cobian removed two boxes from this vehicle that were consistent in appearance with the type that FN America SCAR 17 SFDE rifles are packaged and the type observed on the surveillance footage.

**EXECUTION OF RESIDENTIAL WARRANTS ON MARCH 1, 2019**

114. On March 1, 2019, agents obtained federal residential search warrants related to the suspected COBIAN family firearms trafficking conspiracy. The warrants were for the residences of Oswaldo COBIAN, Elias COBIAN, Victor COBIAN, Stephanie COBIAN, Cristina COLE, Patrick FINNELL and Jeremiah CHOLIP. In total, five (5) residential warrants were obtained and two (2) vehicle search warrants were obtained. Federal and state law enforcement personnel executed the warrants on March 1, 2019. In total, approximately fifty-two (52) firearms were recovered from the residences, which included the two (2) FN SCAR rifles Oswaldo COBIAN purchased on 02/27/2019. Approximately twenty nine (29) pieces of electronic evidence were recovered from the residences. A drop in auto sear was recovered from the residence of Victor COBIAN. A homemade silencer was recovered from the residence of Jeremiah CHOLIP. CHOLIP also admitted to being a drug user in possession of a firearm during an interview with ATF agents.

115. During the execution of the federal search warrant at the residence of Victor COBIAN, agents recovered 29 firearms and a suspected auto sear without a serial number (considered a machine gun by federal standards). The above firearms



included a pistol with "CJNG" grips. Affiant knows this is the acronym for Cartel Jalisco Nuevo Generacion, or Jalisco New Generation Cartel in English. During an on-scene interview, Victor COBIAN advised that he kept firearms at his cabin in northern Wisconsin. Victor COBIAN told ATF that his FN M249S SAWs and Barrett rifles were there. Victor COBIAN described the cabin as near Eau Claire, WI. Victor COBIAN stated that Elias COBIAN had a pistol pulled on him while in Tonaya, Jalisco, Mexico, by a cartel member. He further advised that Elias COBIAN is in Mexico, and if the cartel found out about the ATF raids, they would cut his head off. Victor COBIAN also added that he knew Elias COBIAN and Oswaldo COBIAN were buying Barrett .50 caliber rifles but did not know what they were doing with these firearms. Victor COBIAN'S cellphone was recovered from his person. The phone was analyzed as part of the underlying residential warrant. The results were provided to agents.

#### SOI-1 PROFFER

116. In March and April 2019, SOI-1 met with federal agents with the protection of a federal proffer agreement. SOI-1 stated that s/he began trafficking firearms in 2017. SOI-1 stated that s/he was drinking at a bar called "El Amigo Juan" in Tonaya, Mexico in December of 2017 when s/he met with an old friend who goes by the name "Chindu." SOI-1 knew "Chindu" from Mexico and for several years. SOI-1 identified "Chindu" as **JESUS CISNEROS** who resides in Cofradia, Jalisco, Mexico. CISNEROS told SOI-1 that if s/he could obtain Barrett .50 caliber rifles on CISNEROS behalf and then deliver them to individuals in California, s/he would get paid \$18,000 per rifle. CISNEROS told SOI-1 that CISNEROS had "permission" to obtain/sell firearms in the area of Tonaya-Cofradia, Mexico. SOI-1 understood this to mean that

CISNEROS had permission from either the cartel and/or corrupt government officials to conduct illegal activity of firearms buying and selling in the area. SOI-1 agreed to this firearms trafficking arrangement. SOI-1 stated s/he believed the firearms then went to Mexico through Tijuana. SOI-1 advised that CISNEROS also asked for Browning M2HB .50 caliber rifles, which SOI-1 also purchased and delivered to California. SOI-1 stated that shortly after SOI-1 made the agreement with CISNEROS, Victor COBIAN also made a similar agreement with CISNEROS to purchase firearms on CISNEROS' behalf and then deliver those firearms to individuals in California. SOI-1 further stated he believed these firearms were being trafficked to the cartel whom controlled the state of Jalisco (Cartel Jalisco New Generation).

117. SOI-1 advised that CISNEROS would contact and tell SOI-1 what type of firearm(s) he would like SOI-1 to purchase. SOI-1 would then purchase that firearm(s), and then s/he delivered the guns for CISNEROS by driving them to the Los Angeles, CA area. SOI-1 would remove the serial numbers in Los Angeles area, and then contact a telephone number provided by CISNEROS. A person then met SOI-1, took the firearm(s), and the person provided some or all of the cash at that time. SOI-1 believed that the people receiving the firearms were from San Diego or Tijuana. SOI-1 described one of the people who received the firearms in California as a woman under the age of 35, slightly chubby, named "Laura" who s/he believed was from San Diego. Through telephone and address information, ATF Agents linked identified LAURA Y. RAMIREZ (DOB: 1991), Chula Vista, California. SOI-1 identified as RAMIREZ as the "Laura" who s/he met in Los Angeles. Federal agents confirmed that RAMIREZ has crossed the border at Tijuana approximately 156 times in the last 18 months. Agents displayed a



state of California (CA) Department of Motor Vehicle's phot of RAMIREZ (DOB: 1991) to SOI-1, and SOI-1 confirmed the person in the photo was "Laura."

118. Agents located a Facebook page with the name "Jesus Cisneros" and displayed the profile picture to SOI-1 who stated that it resembled CISNEROS, but the picture only showed the bottom three quarters of CISNEROS' face. Agents queried the publicly viewable portion friends section for the page "Jesus Cisneros." Agents discovered that on the Facebook page of "Jesus Cisneros" it showed that he was friends with the following Facebook profile: "Elias Cobian." The Facebook page also contained several Friends with the last name "Preciado" and "Cobian."

119. Agents located a Facebook page with the name "Jesus Cisneros Hernandez." This is believed to be a second Facebook page for CISNEROS. Agents displayed the photograph from this Facebook page to SOI-1, and SOI 1 stated the person in the photo appeared to be Jesus CISNEROS. Agents queried the publicly viewable portion friends section for the page "Jesus Cisneros Hernandez." Agents discovered that on the Facebook page of "Jesus Cisneros Hernandez," it showed that he was friends with the following Facebook profile: "Elias Cobian." CISNEROS' Facebook page also contained several Friends with the last name "Preciado," and "Cobian."

120. Agents located a Facebook page with the name "Laurita Yahaira." Agents know that RAMIREZ middle name is YAHAIRA. Your affiant displayed a photograph of the publicly viewable profile picture of the Facebook page of "Laurita Yahaira" to SOI-1, and SOI-1 stated the person in the photo appeared to be RAMIREZ. Agents compared the photo from the Facebook page of "Laurita Yahaira" to CA DMV photo of RAMIREZ, and the two appear consistent. The photograph on the Facebook page



"Laurita Yahaira" depicts RAMIREZ sitting in a Jeep. ATF agents from the San Diego Field Office drove by RAMIREZ address on 4/5/2019. In the driveway of 256 E. Quintard St, Chula Vista, CA, was a 2006 Jeep bearing CA license plate 6MHJ590. That vehicle lists to RAMIREZ at the aforementioned address. Subsequently, RAMIREZ had crossed the U.S/Mexican border on two occasions in that vehicle within the last eighteen (18) months.

121. SOI-1 also stated that through VICTOR COBIAN s/he twice met a person in Las Vegas, NV, that s/he knew by the name "Dejan." During the second meeting, SOI-1 stated that s/he flew from O'Hare International Airport, Chicago, IL to Las Vegas, NV. For the flight, SOI-1 checked a Barrett. 50 caliber rifle into luggage, which s/he was transporting to California for CISNEROS. After arriving in Las Vegas, SOI-1 rented a vehicle to transport the rifle to California. SOI-1 was instructed by VICTOR COBIAN to travel to "Dejan's" residence in the Las Vegas area and obtain firearms from "Dejan" for transport to California. VICTOR COBIAN told SOI-1 that "Dejan" was a good friend and someone Victor very much trusted. Once SOI-1 arrived at Dejan's home, SOI-1 pulled into the garage, met "Dejan," and loaded the rental vehicle with two to three gun boxes. After receiving the firearms from "Dejan," SOI-1 traveled to California and transferred the firearms to Laura RAMIREZ. Following this transaction, Victor COBIAN traveled to Atlanta, Georgia, to receive payment for the firearms. Victor COBIAN asked SOI-1 if s/he paid "Dejan" when s/he was in Las Vegas. SOI-1 told Victor COBIAN s/he did not, and Victor COBIAN advised that he would pay "Dejan" from his cut. SOI-1 received a payment from VICTOR COBIAN at that time. Through Facebook records, ATF agents developed a suspect, DEJAN ZORIC (DOB: 1976), who



resides in Nevada.

122. Pursuant to the 3/1/2019 Federal search warrants, agents recovered a cellphone belonging to Victor COBIAN and created a forensic image of the cellphone. Agents observed a contact saved in this cellphone as "Dejan" and recognized the number as one belonging to Dejan ZORIC. In these forensic results, a message was sent by ZORIC to Victor COBIAN stating, "8684 Moreno Mountain Ave." This address matches the Nevada driver's license address of Dejan ZORIC. Also present in text messages between ZORIC and COBIAN are conversations regarding a Las Vegas gun show. The following is a summarization of the conversation:

10/20/2018

ZORIC: *Zoric sends screenshot of location of Crossroads of the West Gun Show to COBIAN.*



ZORIC: Zoric sends an advertisement for Crossroads of the West Gun Show

<b>Oct. 20-21</b> <b>Las Vegas</b> <b>VERIFIED</b> <b>GUN SHOW!</b> <b>ATTEND WITH</b> <b>CONFIDENCE!</b>	<b>Las Vegas Gun Show</b> <b>The Pavillions at World Market Center</b> <b>475 S. Grand Central Parkway - Las Vegas, NV 89106</b> <b>Hours: Saturday 9am - 5pm, Sunday 9am - 4pm</b> <b>Presented by CROSSROADS OF THE WEST GUN SHOWS</b> <b>CROSSROADS of the WEST</b> <b>GUN SHOW</b>  <b>For more information, or to</b> <b>purchase tickets online visit us</b> <b>at</b> <a href="http://www.CrossroadsGunShows.com">www.CrossroadsGunShows.com</a>
<b>Oct. 20-21, 2018</b>	<b>Las Vegas, NV</b> @ <a href="#">More...</a>

COBIAN: Is this 2 different ones

ZORIC: Address is one next to other

ZORIC: It shows for same eventv

ZORIC: Might be 2 tents

COBIAN: O ok

*Continuing later that day:*

ZORIC: Did you make it to the show

COBIAN: Theres none

ZORIC: Of what we like ?

COBIAN: Ya

COBIAN: I'll ttyt (talk to you tonight)

ZORIC: Ok

COBIAN: What time will you be out

ZORIC: 7-8

COBIAN: Are was w set up too meet with the others

ZORIC: Not confirmed yet



COBIAN: I'm leaving tomorrow morning

ZORIC: Ok I'll see you tonight

COBIAN: Ok

COBIAN: Wheres a good happy ending massag place

ZORIC: No idea

ZORIC: Never had one

ZORIC : Ask boris ..

123. Agents displayed a state of Nevada Department of Transportation (DOT) driver's license photo of ZORIC to SOI-1. SOI-1 stated that the person in the photograph looked like ZORIC if he did not have hair. SOI-1 advised he only briefly met ZORIC on the two occasions. Agents queried friends of the Facebook page for "Dejan Zoric" and located the following individuals, "Oscar Cobian" and "Victor Maria Cobian." Agents compared the photos displayed on the publicly viewable portion of the Facebook page "Dejan Zoric" to the Nevada DOT photo of ZORIC, and the two appear consistent.

124. SOI-1 also confirmed that the Eau Claire area cabin referenced by Victor COBIAN (paragraph 115) was in Gilman, WI. SOI-1 confirmed that there were "hunting" firearms in the cabin. Agents provided a satellite photograph of N4701 Grange Lane, Gilman, WI, 54433, to SOI-1 who confirmed that the property in the picture was COBIAN's cabin.

125. For several reasons, case agents believe that the SOI-1 is reliable and credible. First, SOI-1 has been providing continuous information since March of 2019. Second, the information provided by SOI-1 is consistent with evidence obtained

elsewhere in this investigation where SOI-1 was not utilized, and substantial portions of SOI-1's information has been corroborated through independent investigation, including surveillance and information from other sources. Third, the SOI-1 has made statements to case agents that are against his/her penal interests, in that the SOI-1 has admitted his/her involvement in the illegal trafficking of firearms. Finally, the SOI-1 has had an adequate opportunity to observe directly the events discussed and/or has heard conversations directly from the individuals discussed herein.

**BORIS TRGOVCEVIC**

126. On February 19, 2019, the ATF Las Vegas Field Office was alerted by a local FFL to a suspicious purchase. The FFL stated Ethan ERHARDT (DOB: 1983) was picking up ten (10) FN America M249 SAW rifles. It should be noted that ERHARDT had previously purchased ten (10) M249 SAW rifles and ten (10) Barrett .50 caliber rifles in December of 2018 and January of 2019. ERHARDT had paid with cash for each purchase and each of the thirty (30) rifles had an approximate value of eight thousand dollars (\$8,000) each.

127. ERHARDT was slated to pick up the last purchase of the ten (10) M249 saw rifles on 02/19/2019. Agents set up surveillance positions and observed ERHARDT pull into the parking lot at the FFL and speak with a unknown white male (later identified as Boris TRGOVCEVIC) in a Ford Transit Van prior to entering the store. ERHARDT entered the FFL and completed the purchase for ten (10) M249 SAW rifles with a purchase price of \$88,098.07. ERHARDT exited the business and wheeled the rifles to the back of the Ford Transit Van. ERHARDT and Boris TRGOVCEVIC (DOB: 1980) began loading the rifles into the back of the van. At this point, agents with the



ATF Las Vegas Field Office contacted ERHARDT and TRGOVCEVIC at the rear of the van.

128. ERHARDT claimed he was a heavy weapons enthusiast and did not answer the agents questions. Agents subsequently interviewed TRGOVCEVIC. TRGOVCEVIC denied knowing what was in the boxes outside of the FFL however he continually referred to them as "the weapons." TRGOVCEVIC admitted to transporting weapons for ERHARDT in December of 2018, around the same time ERHARDT purchased ten (10) M249 SAW rifles. TRGOVCEVIC allowed agents to access his cell phone and indicated ERHARDT's number was under the name "Puske", which means "weapons."

129. TRGOVCEVIC later consented to having agents search through his cellphone that was on his person that day. Agents located a conversation between TRGOVCEVIC and ERHARDT about the rifles. The two discuss price, when they will be shipped, and how to pay for them. Agents observed other conversations on the phone related to the rifles seized by ATF on 2/19/2019.

130. Agents observed texts to another phone number revolved around M249 SAW rifles and Barrett .50 caliber rifles. The texts were all to the phone number 702-533-3211. Agents were able to link this phone number to Dejan ZORIC via a law enforcement database. A message between TRGOVCEVIC and ZORIC on 12/21/2018 indicates that Barrett .50 caliber rifles are available. TRGOVCEVIC sent a photo of a Barrett .50 caliber rifle and asks ZORIC "These are on hold. How much are they going to give me." ZORIC responds, "We will let you know." Agents suspect ZORIC had been organizing large-scale firearms purchases through TRGOVCEVIC.

131. ATF Milwaukee agents examined the cellphone of Victor COBIAN when it was seized from his person on 3/1/2019. Agents observed text messages in the phone from the number 702-533-3211 with the contact name "dejan". Your affiant observed a text message on 12/18/2019 from the contact "Dejan" to Victor COBIAN. The text stated "We are vc trying to get in to boris gate." Another conversation is initiated on 10/20/2018 by Victor COBIAN. Victor COBIAN states "Wheres a good happy ending massag palce". ZORIC responds by stating "I have no idea, never had one, Ask boris..". Agents are aware TRGOVCEVIC is a suspect of a current FBI human trafficking investigation. Agents later search the Facebook page described above for ZORIC. Under the publicly viewable "friends section," agents located two profiles for TRGOVCEVIC. The pages have the corresponding usernames as "Boris Trgovcevic" and "Boris Trg." Agents compared a state of Nevada Department of Motor Vehicle photo of TRGOVCEVIC to the publicly viewable photos on these two Facebook pages, and all the picture appear consistent.

#### **IDENTIFICATION OF FACEBOOK PAGES**

132. ATF agents queried Facebook and found a profile listed as "Oscar Cobian", URL: <https://www.facebook.com/oscar.cobian.923>, Facebook ID: 100000739694551. Although, no photographs were publically viewable the profile listed a hometown as Oak Creek WI. This Facebook page listed "Friends" with the known profiles for Oswaldo Cobian. The profile was also "Friends" with "Arte Cobian". ATF agents know that "Arte" is short for Artemisa. According to the Illinois Secretary of State website, Artemisa Cobian is the agent for Cobian Utility Contractors in Chicago, Illinois. Oscar Cobian is listed as the LLC manager for this company. The profile also



listed its likes as Victor's Again bar in Oak Creek, WI.

133. ATF agents queried Facebook and found a profile listed as "Pat Finnell," Facebook ID number for the profile is 100005250308551, and a corresponding URL of <https://www.facebook.com/pat.finnell.10>. The Wisconsin Department of Transportation (WIDOT) photograph of Patrick Finnell, Jr. was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. This Facebook page showed listed "Friends" with the known Facebook profiles for Oswaldo Cobian and Elias Cobian.

134. ATF agents queried Facebook and found a profile listed as "Elias Cobian", URL: <https://www.facebook.com/elias.cobian.10>, Facebook ID: 100003360892625. The Wisconsin Department of Transportation (WIDOT) photograph of Elias Cobian was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. Additionally, agents saw a picture of Chevrolet Silverado Truck with Wisconsin License Plate AG4081. This is the same vehicle in which Elias Cobian and Rafael Preciado crossed the U.S.-Mexican border.

135. ATF agents queried Facebook and found a profile listed as "Oswaldo Cobian", URL: <https://www.facebook.com/oswaldo.cobian.3>, Facebook ID: 100000952930252. The Wisconsin Department of Transportation (WIDOT) photograph of Oswaldo Cobian was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. Additionally, there is a publicly viewable photograph of Oswaldo and Victor Cobian.

136. ATF agents queried Facebook and found a profile listed as "Rafael Preciado", URL: <https://www.facebook.com/rafael.preciado.77310>, Facebook ID:



100013469521981. The Wisconsin Department of Transportation (WIDOT) photograph of Rafael Preciado was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent.

137. ATF agents queried Facebook and found a profile listed as "Cristina Cobian-Michels", URL: <https://www.facebook.com/cristina.cole.52>, and Facebook ID: 100001691233512. The Wisconsin Department of Transportation (WIDOT) photograph of Cristina Cole was compared to the posted photographs on the publicly viewable portion of the Facebook page, and they appeared consistent. This Facebook page showed listed "Friends" with the known Facebook profiles for Oswaldo Cobian and Elias Cobian. Cole also posted advertisements for Victor's Again bar in Oak Creek, WI. ATF agents know that this bar is owned and operated by Maria Cobian, the mother of Oswaldo Cobian and Victor Cobian.

138. Agents located a Facebook page for "Jesus Cisneros" with the identifying characteristics: <https://www.facebook.com/profile.php?id=100033552382966> Facebook user ID: 100033552382966, username Jesus Cisneros. Agents displayed the profile picture to SOI-1 who stated that it resembled CISNEROS, but the picture only showed the bottom three quarters of CISNEROS' face. Agents queried the publicly viewable portion friends section for the page "Jesus Cisneros." Agents discovered that on the Facebook page of "Jesus Cisneros," it showed that he was friends with the following Facebook profile: "Elias Cobian." The page also contained several Friends with the last name "Preciado" and "Cobian." Several of the friends located on the page listed their hometown as Tonaya, Mexico, which is where SOI-1 met CISNEROS in December 2017.

139. Agents located a Facebook page for "Jesus Cisneros Hernandez" with the



identifying characteristics: <https://www.facebook.com/jesus.cisneroshernandez.528>, Facebook ID: 100011433766434, username Jesus Cisneros Hernandez. This is believed to be a second Facebook page for CISNEROS. Agents displayed a picture from this Facebook page to SOI-1 who stated that it was CISNEROS. Agents queried the publicly viewable portion friends section for the page "Jesus Cisneros Hernandez." Agents discovered that on the Facebook page of "Jesus Cisneros Hernandez," it showed that he was friends with the following Facebook profile: "Elias Cobian." The page also contained several Friends with the last name "Preciado," and "Cobian". Several of the friends located on the page listed their hometown as Tonaya, MX.

140. Agents located a Facebook page suspected of belonging to ZORIC with the following identifying characteristics: <https://www.facebook.com/dejan.zoric.35>, Facebook User ID: 100001639880494, username Dejan Zoric. Agents queried friends of the Facebook page for "Dejan Zoric" and located the following individuals, "Oscar Cobian" and "Victor Maria Cobian." Agents compared the photos displayed on the publicly viewable portion of the page "Dejan Zoric" to the Nevada DOT photo of ZORIC, the two appear consistent. Agents displayed a state of Nevada Department of Transportation (DOT) driver's license photo of ZORIC to SOI-1. SOI-1 stated that the person in the photograph looked like ZORIC if he did not have hair. SOI-1 advised he only briefly met ZORIC on the two occasions.

141. Agents located the following Facebook page for RAMIREZ with the following characteristics: <https://www.facebook.com/l.y.rmrz>, Facebook ID: 100001107718926, username Laura Yahaira. Agents located a Facebook page with the name "Laurita Yahaira." Agents know that RAMIREZ's middle name is YAHAIRA.



Your affiant displayed a photograph of the publicly viewable profile picture of the page "Laurita Yahaira" to SOI-1, SOI-1 stated the person in the photo appeared to be RAMIREZ. Agents compared the photo from the page "Laurita Yahaira" to CA DMV photo of RAMIREZ and the two appear consistent. The photograph on the Facebook page "Laurita Yahaira" depicts RAMIREZ sitting in a Jeep. ATF agents from the San Diego Field Office drove by RAMIREZ address on 04/05/2019. In the driveway of 256 E. Quintard St, Chula Vista, CA, was a 2006 Jeep bearing CA license plate 6MHJ590. That vehicle lists to RAMIREZ at the aforementioned address. Subsequently, RAMIREZ had crossed the U.S/Mexican border on two occasions in that vehicle within the last eighteen (18) months.

142. Agents located the following Facebook pages related to TRGOVCEVIC: <https://www.facebook.com/boris.trgovcevic>, Facebook ID: 1231635895, username Boris Trgovcevic and <https://www.facebook.com/boris.trgovcevic.7>, Facebook ID: 100005774984427, username Boris Trg. Agents were able to locate the TRGOVCEVIC's two Facebook pages via ZORIC's Facebook page. ZORIC's Facebook page was friends with the TRGOVCEVIC's two Facebook pages. Also, located within TRGOVCEVIC's cellphone were Facebook messages from 2/19/2019 from ZORIC's Facebook page. Agents compared a Nevada DMV photo of TRGOVCEVIC to the photos on the aforementioned Facebook pages, and the photo of TRGOVCEVIC was consistent with photos of the individual displayed in photos on the two Facebook pages.

#### **SIGNIFICANCE OF EMAIL RELATED TO THE FIREARM TRANSACTIONS**

143. ATF agents know that Gunbroker.com accounts are linked to an email address. This investigation revealed that at least Raphael Preciado, Victor Cobian, and



Oswaldo Cobian have Gunbroker.com accounts that they have used to purchase firearms and organize their shipments to Wisconsin. Additionally, emails have been provided to FFLs as a point of communication. ATF agents believe that the emails will have significant information regarding the orders, shipments, payment methods, and other communications regarding the movement of these firearms.

#### **SIGNIFICANCE OF FACEBOOK TO THE FIREARM TRANSACTIONS**

144. ATF agents know that Facebook accounts store communications and pictures that will assist the agents in making connections to people and places involved in the suspected conspiracy to traffic firearms. All of the Facebook accounts to be searched show a connection to members of Cobian et al firearms trafficking conspiracy.

#### **FACEBOOK COMMUNICATIONS AND FIREARMS/DRUG TRAFFICKING**

145. On 11/27/2018, United States Magistrate Judge David E. Jones signed a Federal search warrant for the Facebook pages associated with Oscar Cobian, Oswaldo Cobian, Rafael Preciado, and Cristiana Cole. Facebook provided communications pursuant to this court order and the results were reviewed by ATF agents. Agents observed communications consistent with firearms trafficking, drug trafficking, reference to cartels, and illegal drug use. These communications included text messages, videos, photographs, and audio messages. The following are examples of conversations obtained consistent with firearms trafficking, narcotics trafficking, and cartel affiliation.

#### **OSWALDO COBIAN & MARIO FERNANDEZ**

146. Affiant observed communications received pursuant to a Federal search warrant between the Facebook page associated with Oswaldo Cobian and Facebook Username "Mario Fernandez" (also used "Chapparito De Oro" or "Chapparo"),



Facebook ID: 100001965819835, URL: <https://www.facebook.com/youngbull93>. The conversation was consistent with firearms trafficking and was specific to the trafficking of .50 caliber firearms. The conversation was a combination of text and recorded audio messages translated from Spanish to English. The following is a summarization of the conversation:

**February 13, 2018 (audio messages):**

*\*Oswaldo sends typed message asking what Mario is up to\**

*"MARIO FERNANDEZ": Nothing, fool. Just at home doing nothing. And you, what are you doing? Are you already working or what?*

*OSWALDO COBIAN: Can you get me some (a few) things from over there?*

*Cool (.....). It's cold. Snow everywhere.*

*"MARIO FERNANDEZ": Well, it depends. What? Tell me what you're looking for.*

*OSWALDO COBIAN: (Sends picture of shoebox full of money) And that's just from what we got for those 3 "fierros" (firearms) that we got, fool.*



*"MARIO FERNANDEZ": That's good money, foo'. Hey, fool, what's the (... "ante papas"????) called in English, fool? Don't tell me it's the one that Victor made, no? Or Marcos...with the fuckin'....with hairspray and then he'd toss in a potato in. Haha. Na, kidding. What's it called, fool, that shit, in English?*

*OSWALDO COBIAN: (Sends picture of three Objects consistent with a Browning M2HB rifle and another picture of Objects consistent with a Browning M2HB rifle)*





*"MARIO FERNANDEZ": That's the 50, no?*

OSWALDO COBIAN: Yes, those are 50s. let me look for the link that those fools sent me so that I could find them one of those. It's like military use. With these little fucking things ("changaderas": rounds), fool, and you fire them off and "BOOF, BOOF, BOOF" it sends them far, fool. (sends screenshot of Barrett M107A1 50BMG selling online – Buds Gun Shop for \$13,284) The one on top, I have it at my house already. Next week, I'm taking it to California, fool.



"MARIO FERNANDEZ": What are you bringing over here for? Isn't it going over there?

OSWALDO COBIAN: Yeah, fool, but that's where they go down. Through Tijuana...and that's where the guys are that take them down there (ref: Mexico). You hand it over and right there, those guys give you the money, right there in California, without having to do anything yourself – just obtain/buy/get it. The guys arrive, they give you the money and take the "coquete" (technically firework/rocket but slang for firearm/gun) and see you later.

"MARIO FERNANDEZ": (Audio problems. Numerous audio clips with no message)

OSWALDO COBIAN: Just like the song says, fool, "just between us". Because you know how everyone is over there, the women/females and everyone, fool, they start talking and shit.

"MARIO FERNANDEZ": So do you have to take them to Tijuana or, what?, or



do they come here to California? Simon, simon, I don't even get close to there (Tijuana).

OSWALDO COBIAN: Those dudes live right there in California, fool. Real close to Los Angeles...and all I do is call them by phone and tell them where the things are and they go and pick them up and they take the money. They take care of everything, you don't have to do anything or take anything anywhere. They load the firearm to pass/cross it and everything, fool.

"MARIO FERNANDEZ": That's awesome, fool. But how the fuck am I going to do it, so that I can buy it so that I can sell it to them because I don't have money.

OSWALDO COBIAN: I also told that asshole, Cesar – he made me look bad, that son of a fucking bitch – He said, no, simon, simon, I know an Arab and all that shit. I have him here, in one week it'll all be set and it was all bullshit. He just made me believe that, the fool. And to those guys too (<- meaning: those guys (CA) believed the deal was good to go).

"MARIO FERNANDEZ": No, that guy is an asshole, he commits to shit without knowing shit. Like I said, I'm not sure but I will keep an eye out and see if one surfaces and I'll let you know.

OSWALDO COBIAN: Don't worry about that detail...Just find it, look it over well, in other words have them send photos and everything. And once you have photos and everything, I'll go—personally, if you want—and you and I will go together and get it and right there I'll give you your "earnings"/cut.

"MARIO FERNANDEZ": All set/good. Simon, fool. To give it a try/go and see if it works out (rough translation). And then you can buy it.

OSWALDO COBIAN: No, I mean, I know it's not for sure but I'm just saying if you find one, then call me asap and we can earn some quick cash. I know it's hard to find them so that's why I'm saying if you have a chance and you see one around there, make it happen, or else, don't even worry about it, fool.

"MARIO FERNANDEZ": Simon, simon, but what's that shit called, fool? The potato shooter, fool, that shit.... in English to be able to look for one. And that way, if I find one, that's why I'm saying give me the name. You're looking for a Barrett 50 and another of....of....50s regular. Those that you put underneath or on the ground or something. But send me the name of the other thing.

**02/14/2018 (audio messages):**

"MARIO FERNANDEZ": When you get a chance, call me...but as soon as you get a chance, call me, fool.

OSWALDO COBIAN: Give me your phone number so I can call you so that we don't talk through messenger.

"MARIO FERNANDEZ": Hey fool, I was going to tell you that I am going to talk to some guys that the guy called me....let me borrow some money, fool, you've got money. Let me borrow \$200 and on Sunday I'll pay you back, I'll send it back on MoneyGram or MoneyTransfer at the bank or whatever. Let me borrow the \$200, fool, and on Sunday I'll give it back.



OSWALDO COBIAN: *That money is in MX, fool. I don't have access to it. A compa (compadre/buddy) has it. They send me money from over there when we do our thing ("machaca"), they send me money to pay that shit and everything. That's where I get my earnings/cut. Everything is over there, fool. Right now, I don't have anything, I'm broke here in the United States.*

"MARIO FERNANDEZ": *Well, it's only \$200, fool and Sunday I'm going to give it back just because it's valentine's day and well, I wanted to get it in, you know. On Sunday, I have a jugada (may be referring to rodeo?) in Pico Rivera and they'll give me money there but I wanted money today to take the girlfriend out.*

OSWALDO COBIAN: *No, well, right now I'm broke until I get paid on Friday. Like I said, all my money is over there but I don't have access to it. Those fools send me....like they're going to send me \$10k, a lady is going to bring it over here to the United States and it's going to be deposited but until day after tomorrow they'll deposit it. But that's just to pay for the "artifact" (firearm) and to take it to califas (CA).*

"MARIO FERNANDEZ": *(Thinks OSWALDO COBIAN has money but doesn't want to let him borrow some. ) Orale.*

OSWALDO COBIAN: *When you go to Mexico, I'll show you, fool. The little box of dollar bills, fool. But here, like I said, I don't have money, fool. I have all of it in Mexico.*

**03/05/2018 (audio and text messages):**

- OSWALDO COBIAN: *"Anda ala tienda aver si te venden uno y q cuanto tiempo tardan endartelo yo boy next week para aya" - Go to the store let's see if they sell you one and how long it takes to give it to you. I'm going over there next week.*
- "MARIO FERNANDEZ": *Barret .416 rifle*
- OSWALDO COBIAN: *50 Cal*
- "MARIO FERNANDEZ": *Ok*
- OSWALDO COBIAN:





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"MARIO FERNANDEZ": Hey, fool, I was going to ask you um isn't there another caliber they might want to get, one a little smaller or something? Because here in California, dude, it's bullshit, the laws don't let you – they don't sell those here, fool. I have to go another state, to Oregon or to Arizona. Arizona is right here, close by but do you think they'd want something smaller, a smaller caliber like almost a 50...like here the ones they sell, the largest are 0.416cal Barrett. It's like the 50 but it's...it's....I'll send you a link so you can see them and you can show them and see if they want one or what.

OSWALDO COBIAN: (sends screenshot of Semi-auto centerfire Rifle BRT 82A1 from The Gun Broker online for \$8,810 and sends Barrett M107A1 50 BMG link from Buds Gun Shop again for \$13,284) The one in the photo, on the bottom, fool. The one with the longest "canon" (barrel? Not sure), 'cause there's a photo of one with a short "cañon" and one with a long canon. Long canon is better.

"MARIO FERNANDEZ": Okay, fool, but in California that shit's not sold. I'd have to go to Arizona for one.

OSWALDO COBIAN: Look, fool, if you go to Arizona, or whenever you are out there looking around, investigate/check it out and we can make some money, fool. –refences the internet----- (3/5/18 15:58CST) Just investigate and make sure they can make them awesome.



*"MARIO FERNANDEZ": I will go myself, fool. I'll drive out there. Anyway, I don't have a record on my drivers license so, there's no reason to dig in to me. I'll go and come back real quick. Fool, look, I can go to Arizona right now, if I want to but all I need is money to put gas in the truck. I already put new tires on the truck and all that shit. All I need is to put gas in and go over there to check out the stores and how much they're selling them for and how the show is out there and I'll buy one real quick out there.*

(CORRESPONDING TEXTS)

- OSWALDO COBIAN: *"Pues investiga a comp Los puedes agarrar"* – Well, investigate/find out how you can get them.
- *"MARIO FERNANDEZ": Ok*
- OSWALDO COBIAN: *"Y Los q tengan ai Arizona hay muchos ai Los asen"* – And the ones they might have in Arizona, there's a lot, they make them there.

147. Affiant observed an additional Facebook conversation received pursuant to a Federal search warrant between the Facebook page associated with Oswaldo Cobian and "Mario Fernandez". The conversation was consistent with the trafficking of Kel-Tec PMR 30, .22 WMR pistols. The following is a summarization of that conversation:

April 09, 2018:

*OSWALDO COBIAN and MARIO FERNANDEZ exchange phone calls*

- OSWALDO COBIAN: *"Fijate si me puedes conseguir unas pmr 30"* – See if you can get me some PMR 30s (PMR 30 is a reference to the Kel Tec, model PMR 30, .22 WMR caliber pistol).
- OSWALDO COBIAN: *"Son cortas"* – They are short.
- OSWALDO COBIAN: *"Vienen con dos cargadores"* – They come with two magazines (pistol magazines).

*OSWALDO COBIAN sends the following picture:*



- MARIO FERNANDEZ: "So wey" -Yes, fool and follows with a thumbs up emoji.
- MARIO FERNANDEZ: Si
- OSWALDO COBIAN: "Preguntas xfa" - Ask him/ them (not Mario)
- OSWALDO COBIAN: "Y si si te mando la feria" - And if yes, I can send you the money

*Series of telephone calls made by MARIO FERNANDEZ to OSWALDO COBIAN*

- OSWALDO COBIAN: "Pasame la direccion wey no bamos a durar ni 15 min" - Give me the address fool we be there 15 minutes
- MARIO FERNANDEZ: Ok
- MARIO FERNANDEZ: 626417
- MARIO FERNANDEZ: 7365
- OSWALDO COBIAN: "Ese es tu numero" - This is your number?



- OSWALDO COBIAN: ?
- MARIO FERNANDEZ - "Si" - yes
- OSWALDO COBIAN: "Pasame la direccion" - Send me the address
- OSWALDO COBIAN: "Para pasar el dato" - To pass the info
- OSWALDO COBIAN: "Y mirarnos hay" - And meet up there
- MARIO FERNANDEZ: 20091 Myron st perris ca 92570

*OSWALDO COBIAN and MARIO FERNANDEZ exchange telephone calls*

- OSWALDO COBIAN: "Q asen wey" - What are you doing, fool?
- OSWALDO COBIAN: "Te hable wey y nunca me respondistes carbon" - I called and you didn't respond, bastard.
- OSWALDO COBIAN: "Me mandaba puro buzón" - I keep getting sent to the mailbox (voicemail)

*MARIO FERNANDEZ makes two telephone calls to OSWALDO COBIAN*

- MARIO FERNANDEZ - "Pasame tu number" - Send me your number
- OSWALDO COBIAN: 4143661114
- MARIO FERNANDEZ - "Wey ya tengo mi cell" - Fool I already have my cell
- OSWALDO COBIAN: "Cual cel wey" - Which cell, fool
- OSWALDO COBIAN: "El fin q viene bamos a llamar" - We're going to call this coming weekend
- MARIO FERNANDEZ: Ok
- MARIO FERNANDEZ: 6264177365

148. A query for "Mario Fernandez" was conducted in the CA DOT database utilizing the information in the above conversation. Affiant located a Mario Fernandez, DOB: 08/08/1993, residing at 20090 Verta Street, Perris, California. The CA DOT

photograph and the publicly viewable images posted to Facebook appear to be the same person.

**FACEBOOK COMMUNICATIONS: OSCAR COBIAN (of California), OSWALDO COBIAN, & HECTOR CORRALES**

149. Affiant observed a Facebook conversation consistent with firearms trafficking between the Facebook pages associated Oswald Cobian and Facebook page with the username "Oscar Cobian" who was a different person than the aforementioned Oscar Cobian that lived in Wisconsin. Your Affiant observed the profile page and saw this person was much larger than the Oscar Cobian of Wisconsin. In addition, this Oscar Cobian listed Pico Rivera, California, as the town where he currently resided and Tonaya, Mexico, as where he is "from". Affiant was able to compare a state of California driver's license photo for Oscar Cobian (DOB: 10/14/1982) of 9206 Olympic Boulevard, Pico Rivera, CA, to publically viewable photographs from the above Facebook page and believed them to be the same person. Affiant also believes these subjects may be cousins.

150. On August 26<sup>th</sup>, the Oswald Cobian and the above Facebook page engaged in a conversation (translated from Spanish) as follows:

Oscar: (slang greeting/ 'what's up?')

Oswaldo: What's up?

Oscar: Are you still in Tonaya?

Oswaldo: Maybe I'll go visit you next week. Just keep it a secret/ shush about it.

Oscar: Okay, you know.

Oswaldo: (sends thumbs up sticker)

Oscar: Fool, I've got another job for you...of that (same thing), if possible/ if you can.



Oswaldo: let's hear it. Tell me.

Oscar: Of the same (things/ones), but that they arrive in Sinaloa

Oswaldo: Your boss' is already at the house. No fool, I won't set foot in Sinaloa.

Oscar: They're friends of mine/ compadres

Oswaldo: Tell them that instead, I'll buy whichever ones they have in Cali

Oscar: Well, that's why you sell them (firearms) to them (people). When you come, you can talk to my friend/compa

Oswaldo: What do they need?

Oscar: Well, firearms

Oswaldo: What kind?

Oscar: I'll tell you in a second

151. On August 30, 2018, Oscar Cobian sends Oswaldo Cobian a screenshot of a conversation between Oswaldo Cobian and "Hector Corrales".



The object visible in the photograph is consistent with an AR15 or M4 style rifle and magazines. The above conversation was translated from Spanish. Written on the photograph sent by "Hector Corrales" is "Lla tengo dos destos". This is translated as "I already have two of these", which is believed to mean "Hector" is declaring he has two of these rifles. Oswaldo Cobian responded, "y alrato le aviso" and "simon". Translated this means "Later I'll advise you" and "Of course" or "yes" in Spanish slang. "Hector Corrales" sends the following communications in text format, "Lla tengo dos destos" (I already have two of these). "Y con estos crgadores cada uno" (And each one, with these magazines). "Este es un M4colt" (This is an M4 Colt). Affiant knows that Colt is a manufacturer of M4 and AR15 style rifles. "Primo primo kiero 50 aparatitos" (Cousin, cousin, I want fifty gadgets). Affiant believes gadgets is used in place of rifles or firearms.

152. Oswaldo Cobian and Oscar Cobian engaged in a conversation regarding the above screenshot and M4 style rifles. The conversation was a combination of texts and audio messages that were translated from Spanish to English. The following a summary of the communications:

- OSCAR COBIAN: "Es mi compa el q digo" - It's my friend I told you about.
- OSWALDO COBIAN: "Pero no te entiendo" - But I don't understand (you).
- *Call made by OSWALDO COBIAN to OSCAR COBIAN*
- OSWALDO COBIAN: "Hey se foto esta madre" - Hey, this thing got messed up
- OSCAR COBIAN: "Heyy"
- OSWALDO COBIAN: "Q pedo" - What's up (slang)
- OSCAR COBIAN: "Orita lo agrego en grupo" - I'll add you to the group
- OSWALDO COBIAN: "Nel" - Nope
- OSCAR COBIAN: ok



- OSCAR COBIAN: "Pos como le aemos" – Well, then how do we do it?
- OSCAR COBIAN: "q le digo o que" – What do I tell him or what?
- OSWALDO COBIAN: "Q cuanto da x cada uno aver si los busco" – That how much will he give for each one, and I'll look for them
- OSWALDO COBIAN: "Aver si me combiene" – To see if it's worth it
- OSWALDO COBIAN: "Y q tengo 50 caliber tambien" – And that I have a .50 Caliber also.
- OSCAR COBAIN: Well, ask him if he can send you some photos to see what shape their in, if they're new, if they're beat up, ask them their price and see what comes of it....to see if we can work something out...
- OSCAR COBIAN: What happened/what's up? I went to the bathroom.
- OSWALDO COBIAN: I'll call you later. I'm driving.
- OSCAR COBIAN: Okay.

153. The profile picture for "Hector" was compared to a profile picture listed to a Facebook profile listing username "Hector Corrales", URL: <https://www.facebook.com/hector.corrales.7>, Facebook ID: 100002112730064. This profile was listed under the "Friends" section of the above Facebook page for Oscar Cobian from California. The photograph in the above screenshot matched the screenshot listed to the Facebook profile for "Hector Corrales". Affiant also observed Oswaldo Cobian and Oscar Cobian had Facebook Friends in common.



154. Affiant reviewed the Facebook page of “Hector Corrales” and noticed he claimed to live in Culiacan, Sinaloa, Mexico. However, further research revealed he had family ties to Pico Rivera, California. An inquiry was conducted of the California Department of Transportation (CA DOT) and a record for Hector R. Corrales (DOB: 12/14/1988) was located. Affiant compared the CA DOT photograph to publically viewable photographs posted to the Facebook page of “Hector Corrales”, and believes these are the same person.

155. Affiant further reviewed photographs on the Facebook page of Hector Corrales and found photographs and posting consistent with the type found on Facebook pages associated with Mexican cartels. These photographs include subjects wearing masks, donning body armor, and carrying items consistent with AR15 and AK47 rifles. There is also a photograph consistent with a religious alter or offering. In the offering is a pistol, a statue of Jesus Malverde, and a statue of Santa Muerte. Affiant



knows from training and experience that Jesus Malverde and Santa Muerte are Mexican folk saints that are symbols associated with cartels in Mexico. Furthermore, there were photographs of a subject with items consistent with Barrett, .50 caliber rifles, which is a firearm that has repeatedly been purchased by the Cobian family during this investigation. Affiant also knows from training and experience that Barrett rifles are highly desired by Mexican cartel organizations.

**FACEBOOK: ELIAS COBIAN & "NOE MICHEL"**

156. Affiant observed conversations between Elias Cobian and Facebook Username "Noe Michel", URL: <https://m.facebook.com/profile.php?id=100013279269125>, and Facebook ID: 100013279269125 consistent with the trafficking of Kel-Tec PMR 30, .22 WMR pistols to Mexico. The following is a summarization of the conversation between the Facebook page associated with Elias Cobian and "Noe Michel":

**12/18/2017:**

*Elias Cobian: Buddy, there's two. Under the name Elias Cobian Soto*

*"Noe Michel": Okay, that's good. Will there be three or just two?*

*Elias Cobian: Just two. My homeboy/friend wants to keep one.*

*"Noe Michel": Okay, that's fine. I'll put them this evening and I'll call you to give you the (clue) key/access codes*

*Elias Cobian: Okay*

*"Noe Michel": But with his name, he does have teacher/professor credentials/certifications?*

*Elias Cobian: Yes*

"Noe Michel": Okay, I'll send you the keys/access codes this evening

Elias Cobian: Okay. I'm going to El Grullo right now. Would you be able to send me the deposit so that I don't have to go twice?

"Noe Michel": I'm far away from the house, buddy, and I don't have money with me. This evening for sure, buddy.

Elias Cobian: OK

"Noe Michel": Sorry, buddy, but this evening for sure it'll be there, ok?

Elias Cobian: Yeah, it's fine. No worries.

"Noe Michel": Okay, done.

("Noe Michel" Sends photo of two money wires/transfers)



Transaction E01000665044:



Remitter: E&M Latino Express Money Services, 733 Pleasant Hill Road, Suite C-8, Lilburn, GA, 30047

Sender: GUILHERMO PEREZ GUDINO

Phone: 678/314-9380

Amount (US Currency): \$999.00,

Sender Address: 1721 Stessa Street, Lawrenceville, GA, 30043

Beneficiary: ELIAS COBIAN SOTO of Autlan, Jalisco, Mexico

**Transaction E01000665108:**

- Remitter: E&M Latino Express Money Services, 733 Pleasant Hill Road, Suite C-8, Lilburn, GA, 30047
- Sender: GUILLERMO PEREZ GUDINO
- Phone: 678/314-9380
- Amount (US Currency): \$999.00,
- Sender Address: 1721 Stessa Street, Lawrenceville, GA, 30043
- Beneficiary: ELIAS COBIAN SOTO of Autlan, Jalisco, Mexico

*"Noel Michel": There's the money for one, buddy. And over there, they'll pay you for the other one when they go for them (go pick them up).*

*Elias Cobian: Okay, when are they coming?*

*"Noe Michel": Do the codes show up well (in the picture)? I think tomorrow.*

*Elias Cobian: Yes, fine. Let me know what time so that I can wait for him.*

*"Noe Michel": Yeah, I'll call you one hour before they go*

*Elias Cobian: Okay, good to go/ all set. (sends photos of two PMR-30s) Let me know*

*which one.*



*"Noe Michel": The green one seems/looks better to me, don't you think? Or which one looks better in person? I'll take/give me the green one, buddy, please.*

*Elias Cobian: OK*

*"Noe Michel": That one looks nicer, right?*

*Elias Cobian: I like the green one better but both are nice. I received what was sent, what*



*time will they come for them?*

**JUNE 6<sup>th</sup>, 2018**

*"Noe Michel": What's up, buddy? How are things going?*

*Elias Cobian: Good, good...I'm in Tonaya. Been here 3 weeks. I return tomorrow.*

*"Noe Michel": Oh, are you going to be able to get me two of the same ones?*

*Elias Cobian: Yes, just let me arrive/get back and I'll call you.*

*"Noe Michel": Okay, sounds good. And if you go in August or December so that you can take them for me.*

*Elias Cobian: Okay.*

157. Affiant knows from this investigation that Kel-Tec PMR 30, .22 WMR caliber pistols have been purchased by Oswaldo Cobian, Elias Cobian, and Rafael Preciado. Furthermore, on November 16, 2017, Oswaldo Cobian purchased a grey (tungsten) Kel-Tec PMR 30 and Elias Cobian purchased a green Kel-Tec PMR 30 from FFL Shooter's Sport Center in Racine, WI. These firearms match the same make, model, and color of the firearm discussed in the above transaction.

**FACEBOOK: OSWALDO COBIAN & ROGELIO GASCA**

158. Affiant observed conversations between Oswaldo Cobian and Facebook username "Rogelio Gasca", URL: <https://www.facebook.com/rogelio.gasca.14> Facebook ID 100010143872247. In one conversation Oswaldo Cobian and "Rogelio Gasca" have a conversation about "Oscar". Your Affiant believes this to be Oscar Cobian. In the conversation translated from Spanish, Oswaldo Cobian tells "Rogelio Gasca" that Oscar is "conectado" or "connected" in English. Affiant knows that "connected" is a word that can be used to describe a person who has a membership or a

relationship in an organized criminal group. The conversation (translated) is as follows:

02/18/2018

Oswaldo Cobian: Hey, you know that Oscar is connected?

"Rogelio Gasca": Connected where?

Oswaldo Cobian: He's not going to make it (typed in English). I don't know, my dad just called me.

"Rogelio Gasca": Which Oscar?

Oswaldo Cobian: I'm going to call my uncle Jose right now.

Oswaldo Cobian: Beef (typed in English)

"Rogelio Gasca": Don't BS/Quit Fuckin' around, where is he?

Oswaldo Cobian: That no one pays attention to them now that no one goes to see him. I don't know, fool.

"Rogelio Gasca": Well, no one ever says anything, I didn't know anything about this.

Oswaldo Cobian: So you can find out and tell the rest of them that you are over there, just don't tell them that I told you/gossiped about it.

"Rogelio Gasca": Okay, thanks cousin.

Oswaldo Cobian and "Rogelio "Gasca" also engaged in a conversation regarding "cricri". Affiant knows this is slang for methamphetamine, AKA "crystal meth". The following is a summarization of the conversation translated from Spanish:

04/29/2018

Oswaldo Cobian: "Consigueme cricri para el sabado aun mamadas" - Can



you get me some meth for Saturday for a blowjob

"Rogelio Gasca": "Simon, wey" - Yes, fool

Oswaldo Cobian: "Yo te doy la feria ami me quieren dar pero libras enteras y no quiero tanta" - I'll give you money. They want to give me pounds but I don't want that much.

159. Affiant compared CADOT photograph for Rogelio Gasca, DOB: 05/29/1974, 9525 Friendship Ave. Pico Rivera, CA, with publicly viewable Facebook photos from the above Facebook page. This appears to be the same person. Your Affiant is aware that the Cobian family travels to California and there is a possibility that Oswaldo Cobian could indeed receive methamphetamine from Rogelio Gasca to transport to the Eastern District of Wisconsin.

**FACEBOOK: OSWALDO COBIAN & JOSH SIPPLE**

160. Affiant observed conversations between the Facebook page associated with Oswaldo Cobian and Facebook username "Josh Sipple", User ID 1752717630, and URL <https://facebook.com/josh.sipple.7>. The conversation was consistent with illegal drug trafficking. The following messages were observed:

**03/21/2018**

Oswaldo Cobian: I have new and better candy

Sipple: Oh yeah. Where you working?

Oswaldo Cobian: diesel cush - (Affiant knows that "cush" is a type of potent marijuana)

Sipple: I'll take some price

Oswaldo Cobian: In Bensenville. 170 once

Sipple: you got my personal numbers. 9204000482

Oswaldo Cobian: But I will give you sample

Sipple: Send me a couple picks awesome

Oswaldo Cobian: That's why I was calling you the other day

Sipple: yeah, I kinda figured that. I was playing phone tag with you and then my work phone is junk. They are sending me a new one

Oswaldo Cobian: Lol (sends photo of a plant-like substance consistent with marijuana packaged in plastic bags)

Sipple: Hahaha hell yeah Well shit Sunday I am driving to Wisconsin for my nieces bday. On the way home back thru Milwaukee I could swing by and grab one from you if that's cool? Just send me your address and give me your personal number

Oswaldo Cobian: 414 36611114 Sorry 4143661114

Sipple: Awesome

Oswaldo Cobian: Calme when you are on your way and iguive you mi a dress I have received your text

Sipple: Awesome will do

OC: (sends thumbs up)

161. Affiant believes Josh Sipple is Joshua Sipple (DOB: 06/06/1986) who previously resided in Wauwatosa, WI, and now resides in Chicagoland. A WIDOT photograph of Joshua Sipple was reviewed and his appearance appeared consistent with the images posted on the publically viewable portion of the aforementioned Facebook page.



### FACEBOOK INFORMATION GENERALLY.

162. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

163. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

164. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

165. Facebook users can select different levels of privacy for the

communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

166. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

167. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the



photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

168. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail messages, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

169. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

170. Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages.

171. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

172. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present.

The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page.

173. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs ("blogs"), or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

174. The Facebook Gifts feature allows users to send virtual "gifts" to their friends that appear as icons on the recipient's profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other "pokes," which are free and simply result in a notification to the recipient that he or she has been "poked" by the sender.

175. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

176. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications ("apps") on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

177. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered



to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term "Group Contact Info" to describe the contact information for the group's creator and/or administrator, as well as a PDF of the current status of the group profile page.

178. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

179. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

180. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any

payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

181. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user's "Neoprint," IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use



relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to "tag" their location in posts and Facebook "friends" to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner's state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

182. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

#### **TECHNICAL TERMS**

183. Based on my training and experience, I use the following technical terms to convey the following meanings:

184. IP Address: An Internet Protocol address (or simply "IP address") is a unique numeric address used by computers on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet computer must be assigned an IP address so that

Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.

185. Internet: The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

#### **REQUEST FOR SEALING**

186. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an opportunity to flee/continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.



**ATTACHMENT A**  
**Property to Be Searched**

This warrant applies to information between April 1, 2015 and present date associated with the following Facebook pages:

- <https://www.facebook.com/jesus.cisneroshernandez.528>, Facebook ID: 100011433766434, username Jesus Cisneros Hernandez
- <https://www.facebook.com/l.y.rmrz>, Facebook ID: 100001107718926, username Laura Yahaira
- <https://www.facebook.com/boris.trgovcevic>, Facebook ID: 1231635895, username Boris Trgovcevic
- <https://www.facebook.com/boris.trgovcevic.7>, Facebook ID: 100005774984427, username Boris Trg

That are stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California.

**ATTACHMENT B**  
**Particular Things to be Seized**

**Information to be disclosed by Facebook**

1. To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- b. All activity logs for the account and all other documents showing the user's posts and other Facebook activities;
- c. All photos uploaded by that user ID and all photos uploaded by any user that have that user tagged in them;
- d. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event



- postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- e. All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history, and pending "Friend" requests;
  - f. All "check ins" and other location information;
  - g. All IP logs, including all records of the IP addresses that logged into the account;
  - h. All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
  - i. All information about the Facebook pages that the account is or was a "fan" of;
  - j. All past and present lists of friends created by the account;
  - k. All records of Facebook searches performed by the account;
  - l. All audio messages sent by the account and messages received by the account;
  - m. All video messages sent by the account and to the account;
  - n. Any and all location data that is recorded by Facebook related to the account
  - o. All information about the user's access and use of Facebook Marketplace;
  - p. The types of service utilized by the user;

- q. The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- r. All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- s. All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

**Information to be seized by the government**

1. All information described above that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C § 922(a)(1)(A) (engaging in a firearms business without a license), § 922(d) (transferring a firearm to a prohibited person), and § 18 U.S.C § 544 (smuggling good from the United States), 18 U.S.C. § 922(a)(1) (false statement to a material fact to FFL), 18 U.S.C. § 924(b) (interstate/foreign shipment for felony purpose), 18 U.S.C. § 922(a)(9) (non-resident/non FFL received firearms), 18 U.S.C. § 924 (h) (transfer firearm to be used in drug trafficking crime), 18 U.S.C. § 924(g) (interstate travel with intent to commit drug trafficking crime), 22 U.S.C. § 2778(b)(2)(c) (illegal export of munitions), and 18 U.S.C. § 371 (conspiracy), since April 1, 2015 to the present, for each user ID identified on Attachment A, information pertaining to the following matters:



- a. The relevant offense conduct, any preparatory steps taken in furtherance of the scheme, communications between the suspect and others related to the relevant offense conduct in the above-listed crimes;
- b. Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- c. Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation;
- d. The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).
- e. The identity of the person(s) who communicated with the user ID about matters relating to relevant offense conduct of the above-listed crimes, including records that help reveal their whereabouts.
- f. Based on the forgoing, I request that the Court issue the proposed search warrant based on the aforementioned facts.

